

CAMBA LEGAL SERVICES

2023 – 2024

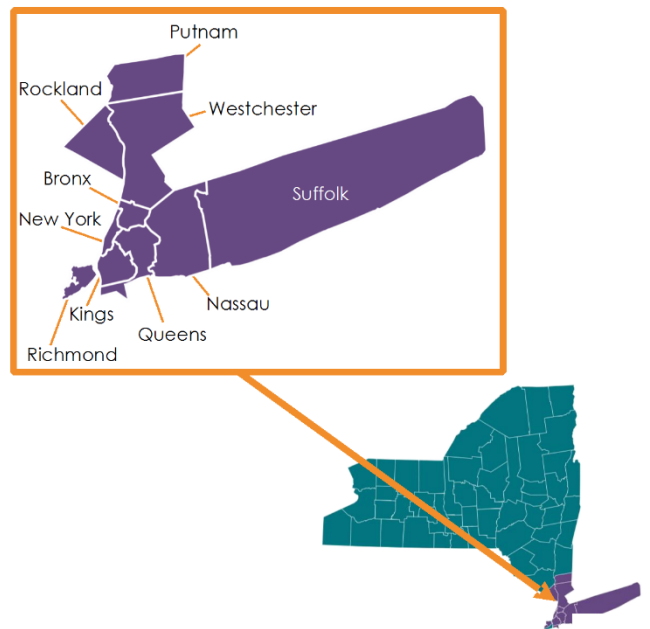
Report

OVERVIEW OF ACHIEVEMENTS

CAMBA/CAMBA Legal Services (CLS), in partnership with the Legal Services for the Working Poor Coalition, provided direct legal service assistance to more than 4,500 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 more than 4,000 people over the year. Collectively, we estimate the dollar benefit and savings to clients combined (including annualized ongoing monthly payments) was close to \$12 million. If successful, our impact cases could ultimately benefit hundreds of thousands of New York State consumers.

The Consumer Law Project arises from the Legal Services for the Working Poor Coalition. The coalition includes CAMBA Legal Services, the Goddard Riverside Law Project, Housing Conservation Coordinators, Northern Manhattan Improvement Corporation, and TakeRoot Justice. During the 2023-24 contract year, the Consumer Law Program provided direct legal assistance to more than 200 individuals. As a result of our consumer efforts, we estimate that our clients obtained and/or saved approximately \$800,000. Our clients had greater access to justice that resulted in the judgments against them being vacated or dismissed, monies garnished from their bank accounts returned, credit reports corrected to accurately reflect their credit histories, and monies taken by fraud returned to the victim.

As a Right to Counsel provider, we continued to implement the Right to Counsel by conducting regular intakes in the Housing Courts in Staten Island and Brooklyn as a part of the centralized intake process. Representation and educating tenants (via advice) about their housing rights and



Service Area: New York City Metropolitan

Population Served: Low-Income Population

Staffing Full Time Equivalents:
 Total Staff: 75 Lawyers: 49.5
 Paralegals: 19 Others: 6.5

available remedies improve the administration of justice by making sure that tenants have a voice and are empowered to assert their rights. The dollar benefit obtained for clients that CLS has represented in Housing Court is difficult to quantify. As a result of CLS's efforts and intervention, most clients preserved their homes, allowing them to remain in their communities. In addition, these interventions by CLS improved the quality of housing by advocating for needed repairs, and preserving housing subsidies, which we estimate is well over \$1000 per month for the life of the tenancy. We also continued to assist clients seeking rental arrears from the city, state (including ERAP), and private charities. We estimate the rental arrears average is approximately \$12,000 per case.

The Consumer Law Project achieves savings for New York taxpayers in a variety of ways. At the beginning of the consumer project in 2008 there were approximately 350,000 consumer credit lawsuits filed in New York City Civil Court. In 2021, that number was over 83,000 consumer cases. This reduction is the result of a confluence of factors, but is largely the result of advocacy from New York's small consumer community which has worked to advocate for bills improving service of process, developed ways to serve large numbers of pro se consumers through the lawyer for the day and CLARO programs, and litigated cases. By funding the Consumer Law Project, the IOLA Fund supports a significant segment of New York's consumer law community and our work has factored into the reduced case load in New York City Courts which has reduced the burden on the court system and freed resources for other areas of need. In addition to lowering the burden on New York Courts, the Consumer Law Project mission is central to the State of New York and its taxpayers. At its heart, the Consumer Law Project works to remove obstacles to economic self-sufficiency, engaging in advocacy to lift people from poverty and remove barriers to financial freedom. When this happens clients can earn more which means an increase in the tax base benefiting all New Yorkers.

We estimate that our combined dollar benefit to clients (dollars saved and dollar benefits achieved) was approximately \$12 million this year. Dollar benefits were achieved in consumer cases where we helped consumers to win affirmative judgements; in housing cases where we were able to obtain financial assistance to pay down arrears, as well as ongoing rental subsidies and negotiate buyout payments; foreclosure cases where we were able to obtain financial assistance to pay mortgage arrears; and in benefits cases, where we helped people obtain Federal benefits including Public Assistance and SNAP benefits. Dollar savings were achieved in consumer cases where we were able to stop and recapture garnishments, stopped/ reduced debt collection activity and obtain other consumer judgement reductions; in housing where we were able to obtain reductions in arrearage, and in foreclosure cases, where we were able to negotiate a mortgage modification at a reduced interest rate.

DIRECT LEGAL SERVICES

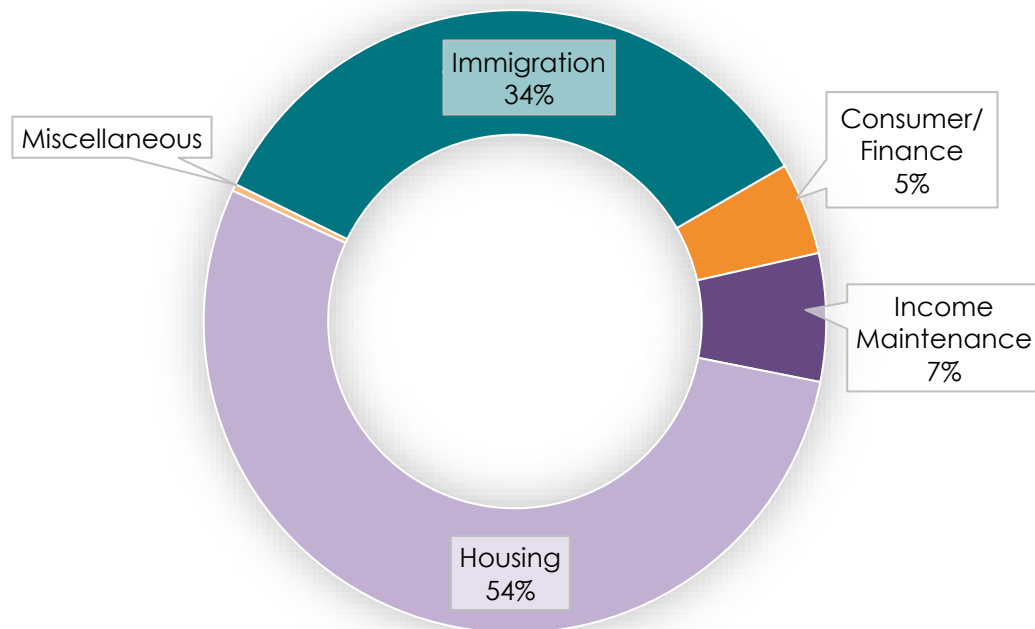
CLS conducts outreach and intake in a variety of ways, with the goal of engaging new clients, raising awareness of legal rights and protections, and empowering community members overall. Our outreach and intake includes work directly in the court, directly in the community, and everything in between. Outreach and intakes are conducted in person, by phone and by zoom depending on the program and the needs of the client. We also work in partnership with other community organizations – health care facilities, NYCHA housing developments, elected officials offices, food pantries, schools and churches to connect to clients and to share information. CLS continues to look for ways to maximize engagement in the outreach process and efficiency and thoroughness in the intake process. We are more effectively using LegalServer to do the latter, and hope to start using an online intake portal this year to improve the intake process further.



As a result of the pandemic, CAMBA Legal Service developed systems to broaden access to our services. While much of the pandemic restrictions have gone away, these systems are still in place and have expanded both our reach and our ability to serve more clients. For example, the expanding of remote intake has allowed the consumer unit to more efficiently serve clients across the five boroughs without requiring them to come in person to our office in Flatbush. We made efforts to publicize the consumer portal, an online referral source that became a valuable tool for contacting our program. We also established and promoted a hotline that consumer could call to speak with a consumer advocate. The consumer community also developed the remote CLARO program. This serves as another intake and referral point that allows consumers to speak with an attorney for advice or to obtain full representation. This project has connected numerous consumers to our services to the point where we have reached capacity in our consumer unit.

Our direct civil legal assistance continued to be provided online and by telephone this contract year, as well as in person as needed and preferred. We use a variety of systems for remote triage, advice/ brief services and referral while also providing in person services, so we are able to meet the varied needs of our clients.

CASES BY LEGAL PROBLEM AREA



CASE EXAMPLES

Example 1: Ms. M is a mother of two teenagers who lives in the Bronx. In the early 2020s Ms. M was sued for back rent. When she received notice of the lawsuit Ms. M was shocked, because the complaint was seeking rent for an apartment where she had never lived. Ms. M was not sure what was going on and went to CLARO for help. Because of the complexity of her case, CLARO referred Ms. M to CAMBA who agreed to represent her. After some investigation, it was discovered that Ms. M was the victim of widespread identity theft by a “friend”, who Ms. M allowed to live with her for a period of time. This person stole and copied Ms. M’s identifying documents like her passport and forged her signature to rent an apartment that Ms. M was now being sued for. CAMBA helped Ms. M get a police report and sent it along with other exculpatory documents including an affidavit to the attorneys for the plaintiff in hopes that the overwhelming proof of ID theft would result in dismissal. The plaintiff did not respond and the case proceeded to trial. Ms. M was scared. If she got a judgment she would not be able to pay it. She worried her wages would be garnished and her financial life ruined.

CAMBA helped Ms. M prepare for trial and made sure all of her documents were admissible. We also helped prepare her teenage daughter who would offer additional testimony related to signatures and the identity thief. Because of this preparation, Ms. M and her daughter testified compellingly about the ID theft, the forgery of the plaintiffs documents and that the case was

the result of a former friend scamming her. The court agreed and after two days of trial issued an order dismissing the case. Ms. M was thrilled. She had been worried her life would be ruined and had no idea how to do a trial on her own. Without help from an attorney Ms. M would have struggled to represent herself at the trial on her own and would have been more vulnerable to pressure to settle the case.

Example 2: Ms. K is a working poor single mother from the Bronx. Just before the pandemic she applied for a job as a court officer hoping for more stable employment. During the application process she was told that she would have a better chance if she had better vision. Wanting to better herself, Ms. K took this advice to heart and had LASIK to improve her vision. Ms. K was not able to afford this procedure, but at the doctor's office was told that she could finance it through a product called Care Credit. This is a specialty medical credit card that patients can use to pay for medical services. One of the aspects of many Care Credit agreements is deferred interest, meaning that the card offers no interest for the first few months, but if the payments are not made a high interest rate will be applied to those amounts retroactively and to any amounts going forward. After her surgery the pandemic hit, and Ms. K was not able to make the payments. When the card went into default the deferred interest kicked in and Ms. K owed thousands more than the original principal.

Ms. K was eventually sued but was not served. The process server claimed he served her in Summer 2023 describing service on a co-resident that does not exist. At the time of service, Ms. K was in the hospital giving birth. Ms. K's daughter need to be admitted to the Neonatal Intensive Care Unit and she stayed there for a few days before the family could be discharged. The process server who allegedly served Ms. K was Benjamin Lamb, who has a long history of improper service including a finding by the Federal Court in *Sykes v. Mel S. Harris et. al.* that he lied about service. Mr. Lamb's M.O. is to always claim substitute service. Ms. Lamb does this because it is harder to check as the other methods of service, personal and affix and mail, can be more easily verified by checking the appearance of the person or, in the case of affix and mail, confirming the GPS records. Ms. K called CAMBA Legal Services for help and, after an intake meeting, we agreed to represent her. CAMBA filed an answer asserting the Ms. K was not served, among other defenses. CAMBA began to prepare a motion to dismiss. In doing so, CAMBA reviewed almost 50 affidavits filed by Mr. Lamb. Every one of these affidavits described substitute service with many describing instances of service that are not possible. Ms. K's motion to dismiss was granted and a traverse hearing was scheduled where Ms. K will be able to confront the process server about his conduct.

OTHER LEGAL-RELATED SERVICES

CLARO –Because of the volume of Civil Court filings 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. During COVID, CLARO was remote. With the return of high volume in court appearances, CLARO had to return to in person clinics to meet the demand, while keeping a remote option for clients that are homebound or unable to appear in person. The 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 CLARO, the Consumer Law Project provided assistance to approximately 100 clients, and helped to provide another avenue for New York City’s consumers to find legal advice relating to consumer law issues. Pro Se assistance was also provided to another 75 clients by our subcontractors. Those services included sharing materials and information on how to access credit reports, helping tenants fill out credit reports, and providing information and materials on filing consumer complaints or responding to debt collection letters.

Community Education efforts this year reached approximately 2,000 people. The program’s Community Education was largely focused on eviction prevention, consumer rights and protections, Section 8 voucher retention, and SNAP education and enrollment information and assistance. Community Education and Outreach services were provided in a number of venues including with tenants associations, in large apartment buildings, at food pantries, in our partners community offices and other community sites.

175

people benefitted
from
**Pro Se
Assistance**

2,184

people benefitted
from
**Community
Legal
Education**

250

people benefitted
from
**Web-Based
Assistance**

IMPACT CASES

1056 Sherman Avenue Holdings, LLC v. Miguel Garcia:

Mr. Garcia was allegedly sued by his former landlord for back rent. The entity suing him was not the landlord listed on his lease, but some other corporation that he did not recognize. It was also discovered that the landlord’s rent ledger was incorrect and that instead of owing money, Mr. Garcia was entitled to a credit. In spite of all this the landlord moved for summary judgment. Mr. Garcia through his CAMBA lawyers, opposed and the court issued a decision denying the request because the plaintiff failed to prove standing. This is an important decision because rent arrears cases in Civil Court are common and suits are often brought by entities that are not the landlord or the party that signed the lease. The decision and underlying papers were shared with the consumer community as a road map for addressing these issues.



All Impact Cases
<i>1056 Sherman Avenue Holdings, LLC v. Miguel Garcia</i>
<i>Erika Wilson v. Selip and Stylainou, et. al.</i>
<i>Calixto v. Balsamso Rosenblatt, P.C. et. al.</i>
<i>LVNV Funding LLC v. Abel R. Alvarado</i>
<i>Capital One Bank v. Samuel Morales</i>
<i>A.1309 (Rosenthal) / S.2278 (Cleare)</i>
<i>A.7138 (Weinstein)/S.795 (Comrie)</i>

TECHNOLOGY

CAMBA Legal Services continues to receive consumer law referrals through the Consumer Law Help Finder, which was developed in partnership with a number of other New York City providers and the Technology Working Group of the Task Force to Expand Access to Civil Legal Services. This portal uses technology to improve consumer law triage, screening and/or intake processes. The Covid-19 crisis made the portal vital, as traditional access points for consumer legal services had been shut down. At the advent of the crisis the providers convened to make sure the portal was as widely known as possible and to do everything they could to help consumer access it. Since that time, more consumers than ever have accessed our services through the portal, getting brief advice and full representation in the full spectrum of consumer cases. CAMBA has also been in contact with the Supervising of the Brooklyn Civil Court, Dweynie Paul, about publicizing the portal and CAMBA's services through flyers in the courtroom and other methods.

Last year CLS upgraded its program wide database to Legal Server. This upgrade allows for better integration with the online portal, better case tracking across units, makes it easier to track outcomes, and serves as a cloud based document management tool with virtual case files. The upgrade allows CLS to more efficiently manage cases and record outcomes. One year after implementation attorneys have become more proficient in using the database and CAMBA has worked extensively with its in-house data, assessment, research, and evaluation ("DARE") team to improve the databases function and streamline its operation so it is more intuitive and responsive to the users. Improvements and refinements are ongoing.

IOLA TECHNOLOGY GRANT

CLS is very grateful to have received the 2023 IOLA Technology Grant. This grant allowed us to upgrade some of our hardware and software, which really needed to be done. The equipment is being used by attorneys and paralegals in their direct service with clients. We are in the process of upgrading much of our outdated equipment, so this grant really contributed to that effort. We continue to look for ways to upgrade other equipment as needed.

PRO BONO VOLUNTEERS

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 in 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.

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 Consumer Unit hosts a fall intern from Cardozo Law School's Consumer Field Clinic and two summer interns. The Housing Unit hosts a number of law student interns each summer. Students spend time working with staff attorneys doing research and writing, client interviews and attending court appearances. The work the interns do is significant, for example the opening brief in the case for Mr. S, discussed in the narrative was done with intern assistance. We also have a retired attorney who volunteers weekly to process SCRIE/DRIE applications. Additionally, we have three Attorneys Emeritus volunteers who support the Housing Unit with trial preparation assistance, conduct trainings, and provide case consultations.

2attorneys
volunteered **60** hours**10**law students
volunteered **1,800** hours**3**other volunteers
volunteered **400** hours

SIGNIFICANT COLLABORATIONS

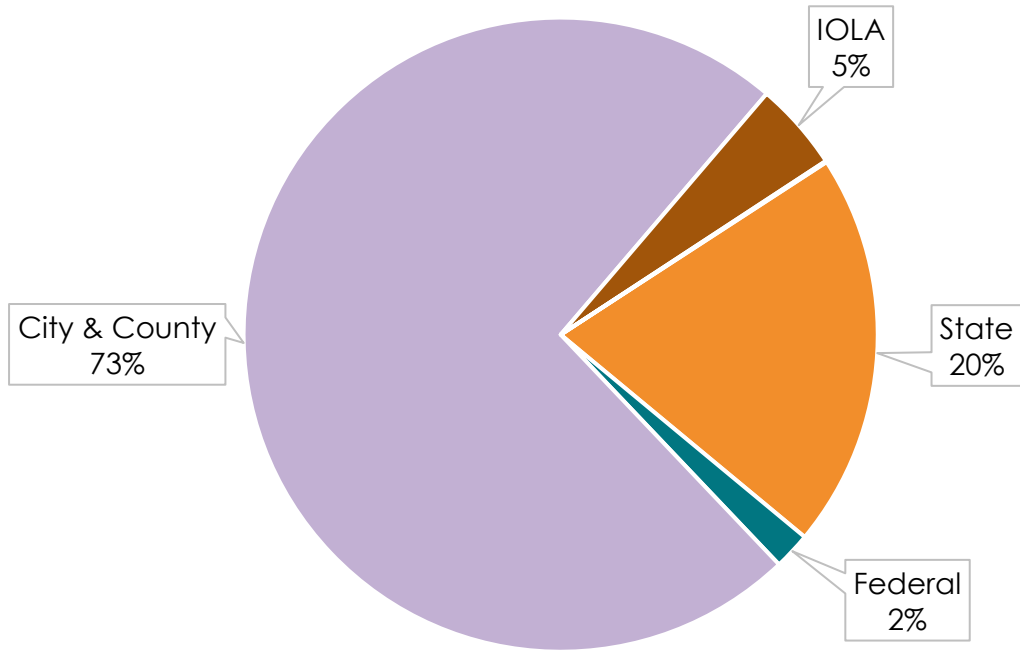
In addition to the coalition itself, which is a collaboration of community based organizations, the New York City consumer law community as a whole is very collaborative. The consumer advocates hold meetings where cases, trends, and legislation are discussed. Through these meetings coalition members 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. One example of this is NYC Domestic Violence and Consumer Law Working Group, which CAMBA co-leads. The working group brings together legal and social services advocates to holistically address the intersection of domestic violence and consumer debt.

Also, a coalition of legal services non-profits, that all coalition members are part of, organizes monthly trainings on a variety of issues, sharing in house 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.

The anti-eviction legal services program works closely with other providers in the borough as well. We meet regularly as members of the new Brooklyn Tenant Lawyers Network, Leap, and the Consumer Law Project. CAMBA Legal Services has a good relationship with the other legal service providers throughout the City and we communicate regularly. Additionally, we ask all potential clients at intake if they are already being represented or have been seen by another legal services provider. In cases where a client is already represented, we refer them back to that provider. As a part of the Right to Counsel implementation, the providers have been meeting together with OCJ to develop policies, protocols and practices to streamline referrals, intake, coordination overall, and minimize duplication. We are all very focused on this issue and are working to develop systems that will avoid duplication whenever possible.

CIVIL LEGAL SERVICES FUNDING

\$ 11,077,270



IOLA Funding	\$ 499,786.22
City & County Funding	\$ 8,125,299.76
State Funding	\$ 2,235,889.00
Federal Funding	\$ 209,294.69
Other	\$ 7,000.00