

# NCCRC

National Coalition for a  
Civil Right to Counsel



# Introduction of Right to Counsel

May 21, 2024

*Building Support for a Civil Right to Counsel by Anchoring your Case in Racial Justice*

Presented by the **National Coalition for a Civil Right to Counsel's**

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Image: Kansas City Star, "New KC law will guarantee tenants legal representation." (Oct. 6, 2022).

# What is Tenant Right to Counsel (RTC)?

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- Providing legal representation to ALL eligible tenants
- Established in the law (state statute; local ordinance)
- Publicly funded
- Full representation
- Any kind of eviction proceeding

# Representation Disparity

on average, nationwide (*where no RTC or pre-RTC*)

**81 to 82% of landlords** are represented

compared to

**3 to 4% of tenants**

# Why should we have tenant RTC?

- Court proceedings are complex and confusing for tenants
- Tenants may not know what defenses they have ("*knowable but unknown*")
  - Ex: warranty of habitability, procedural defects, discrimination/harassment, payments not credited, etc.
- Representing tenants and keeping them housed can save jurisdictions money that would otherwise be spent on shelters, medical care, rehousing, etc.
- Tenant representation works! Represented tenants:
  - Stay in their homes more often
  - Pay less in arrears
  - Are more likely to have more time to move out on their own terms

# Tenant RTC movement

The NCCRC tracks all existing eviction RTC enactments in our [Enacted Eviction RTC Law Matrix](#).

2017	2018	2019	2020	2021	2022 / 2023/2024
New York City, NY	San Francisco, CA Newark, NJ	<ul style="list-style-type: none"><li>• Cleveland, OH</li><li>• Philadelphia, PA</li></ul>	<ul style="list-style-type: none"><li>• Boulder, CO</li><li>• Baltimore, MD</li></ul>	<ul style="list-style-type: none"><li>• Seattle, WA</li><li>• Minneapolis, MN</li><li>• Louisville, KY</li><li>• Toledo, OH</li><li>• Denver, CO</li><li>• Kansas City, MO</li><li>• Washington</li><li>• Connecticut</li><li>• Maryland</li></ul>	<ul style="list-style-type: none"><li>• New Orleans, LA</li><li>• Detroit, MI</li><li>• Jersey City</li><li>• St. Louis</li><li>• Westchester County NY</li><li>• Minnesota</li><li>• Nebraska</li></ul>

# RTC Key Area

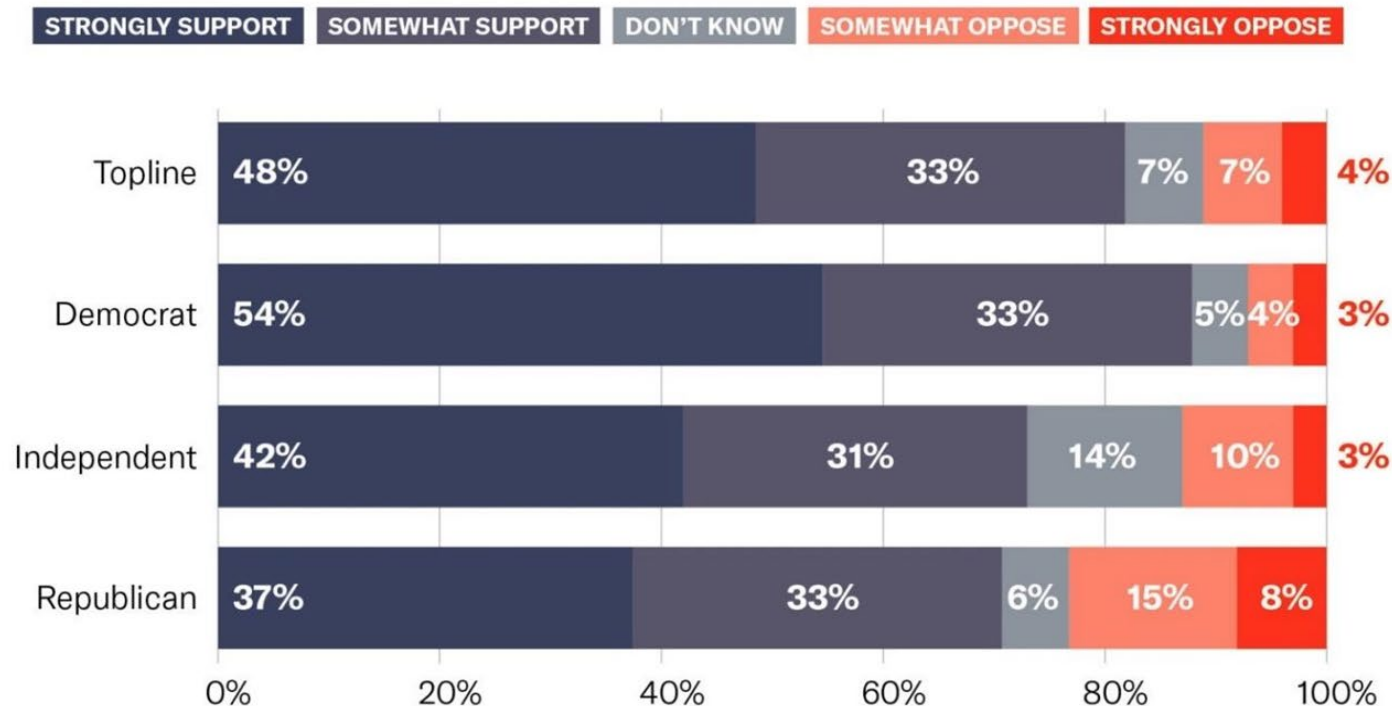
## RTC for Tenants Facing Eviction

### Sampling of other cities/states exploring eviction RTC

- Boise
- Chattanooga
- Fresno
- Houston
- Massachusetts
- Nashville
- New Jersey
- Omaha
- Pennsylvania
- Pittsburgh
- Portland OR
- San Jose
- Santa Monica
- South Carolina
- Tulsa

# Public support (2021 polling data)

Would you support or oppose establishing a right to legal counsel, meaning someone will always be represented by a lawyer, during eviction proceedings?



DATA FOR **PROGRESS**

# RTC is only part of the solution

RTC is part of a tenant-led movement for safe, healthy, affordable, stable housing for all but it is just **one of many necessary housing justice policies, including:**

- Eviction diversion programs
- Good cause eviction laws
- Stronger tenant rights
- Habitability enforcement
- Eviction moratoria
- Emergency rental assistance
- Affordable housing & rent control
- And more!



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## Connect with us!

- Reach out to us at [info@civilrighttocounsel.org](mailto:info@civilrighttocounsel.org).
- Visit [www.civilrighttocounsel.org](http://www.civilrighttocounsel.org) for more information about the growing tenant RTC movement!