

Brooklyn Legal Services Corporation A

BUILDING COMMUNITIES
ENSURING OPPORTUNITY
ACHIEVING JUSTICE

SUMMER 2013

A Few Reflections on Public Service

The following excerpts were written by the AmeriCorps VISTA members who served a term with Brooklyn A from August 2012 to August 2013; the first VISTAs to have served at our organization. Four of the VISTAs were attorneys, two of whom served with the Group Representation unit, one with Individual Housing, and one with Foreclosure Prevention. The other VISTA served in the Development Department.

AmeriCorps VISTA is a three year program that provides full-time volunteers to nonprofit and other community organizations to build capacity and expand programs that bring low-income individuals and communities out of poverty. August 2013 marks the conclusion of the first year of a three-year VISTA Project. Through their efforts in building capacity this past year, the VISTA members had the opportunity to assist Brooklyn A during its transition into an independent nonprofit legal services provider.

TIFFANY FEMIANO, ESQ.

I made the decision to serve as an AmeriCorps VISTA [member] because of my dedication and commitment to homelessness prevention. I was impressed by Brooklyn Legal Services Corporation A because of its reputation for providing quality legal services to tenants living in North Brooklyn.

During the last year, I have worked with individuals, tenant associations, community-based organizations, coalitions and task forces in order to prevent displacement among North Brooklyn's most vulnerable populations. I have successfully prevented the eviction of New York City Housing Authority (NYCHA) tenants, tenants living in project-based Section 8 housing, and tenants living in rent-regulated units. Much of my work has been focused on outreach, advocacy, and litigation, which helps to inform and empower tenants.

For example, tenants at 917 Manhattan Avenue/156 Kent Street reached out to St. Nicks Alliance, who then reached out to Brooklyn A because their landlord had tried to quadruple their rents and assert that they are month-

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BROOKLYN A HAS A NEW WEBSITE www.bka.org



2013 ANNUAL PARTNERSHIP AWARDS BENEFIT

SAVE THE DATE:

Wednesday, November 20, 2013

New York Marriott at the Brooklyn Bridge

6:00pm – 9:00pm

6:00pm Reception, 7:00pm Program

Tickets: \$250 per ticket

\$150 per ticket nonprofit rate, only for organizations with 501 (c)(3) designation

Please RSVP no later than Friday, November 1, 2013

See www.bka.org/events or for questions or information on purchasing tickets, sponsorships, and ads, please contact Gloria Ramón (718) 487-2328 or gramon@bka.org

to-month tenants. After meeting with the tenants and doing some research, it became clear that the tenants were protected by the Rent Stabilization Code because their buildings are “horizontal multiple dwellings.” The tenants, who have lived in their homes for decades, were prepared to enforce their tenancy rights but needed legal support, which we are providing.

During the last year, I have been privileged to have served this community as a VISTA. Providing support to Brooklyn A and the community-based organizations with which Brooklyn A works has affirmed my desire to work with low-income tenants in order to prevent displacement and homelessness in vulnerable communities.

Tiffany Femiano will be an associate at Ween & Kozeic, LLP.

SHOSHANNAH GOODMAN, ESQ.

There is no typical case handled by the group representation unit. However, common issues that arise include housing discrimination, neglect of essential services and repairs, and buyouts offered to long-term rent regulated tenants. The group representation unit works to keep the tenants united as a cohesive association when faced with such situations. All decisions are made collectively by the tenant association; this includes decisions to go on rent strike, accept buyouts, and litigate the issues in court, among other things.

My favorite part about the work I do at Brooklyn A is providing tenants with the knowledge necessary to help them feel and be empowered in the struggle for basic human rights. This is usually no easy feat and often feels like war, but when the dust settles and the clients are victorious, I know my work

has been worth it.

Shoshannah will be serving another year with Brooklyn A.

ALYSSA ISIDORIDY

I made my way to the Brooklyn A office on my first day of VISTA service with my brow furrowed and my game face on. My first real job after receiving my bachelor’s degree, I prepared myself for a firm handshake and a no-nonsense legal atmosphere. When I walked through the doors on that first day, you can imagine my surprise and delight to receive a warm hug from Gloria, my new supervisor, mentor, and soon-to-be occasional duet partner (let the record show that this is only when the Backstreet Boys were involved).

As my year with Brooklyn A progressed, I enjoyed the most supportive professional environment that I could have hoped for. I learned all about the behind-the-scenes action that allows for a nonprofit organization to operate: from event-planning to grant-writing, donor databases and website management. My work encompassed a complete survey of the development and communications side of Brooklyn A, and I was encouraged and challenged every step of the way.

I have come to learn that the enthusiasm and compassion that I was treated to on my first day and throughout the year is precisely that which distinguishes Brooklyn A as an organization; the warmth provided by its staff is inextricable from its mission as a neighborhood-based provider of legal services.

Our physical presence in the community is just as significant as the reputation that our team has within the hearts and minds of the people in the neighborhoods we serve.

People trust Brooklyn A because the human element of our services is not lost even amidst the tireless work of our team to meet the overwhelming need for services within our communities. After



witnessing how this spirit contributes to productivity, growth, and general happiness, I consider myself to be very lucky and –who am I kidding?– very wise to have chosen such a lovely organization with which to have begun my career. *Alyssa is seeking a position in fundraising and is planning on applying to law schools next year.*

JANNA LEVIN, ESQ.

I came to Brooklyn A eleven months

ago as a new law school graduate, my diploma not yet framed and bar results still months away. My father packed me off with his own brand of wisdom. After many years at a large energy company, he had gotten a second act as a consumer advocate, reshaping his own career and his life. “Serve your community,” he advised me. “Commit to social justice, and build your legal career in public service.”

Dad’s words came with me on the subway ride to East New York, the hard hit Brooklyn community where I was to start my work as a tenants’ legal services advocate. I met with dozens of families in those first months, listening to stories of setbacks and frustrations but also incredible resilience.

I sat with parents and young children who faced eviction and homelessness after loss of a job. Sometimes, all they needed was time—a few extra months to find an apartment that would not fail Housing Quality Standards, or a referral to the NYC Human Resources Administration (HRA) for a one time rental arrears loan. Some problems seemed much bigger, perhaps even intractable. A young woman who had been on the streets had taken control of her own life and was back in school, but now she faced a housing court holdover and the grave possibility that she and her son would be homeless again. Together, we scoured public records to find evidence of a regulatory contract governing her housing development, and our legal argument came together. The case is still working its way through the courts, strengthened by the arguments we made in motion practice, but the woman and her son remain in their home.

As civil legal services advocates, we sometimes forget the many ways we are privileged. On our best days, we may stay marshals’ notices and stop evictions,

but the benefits flow both ways. We grow as attorneys and as people when we respond to the needs of our community. *Janna Levin will be serving another year with Brooklyn A.*

RYAN RIDINGS, ESQ.

also served as an Americorps VISTA member. He was a graduate of City University of New York School of Law ’11 and received a Masters in Urban Planning from Hunter College ’13. He is currently an associate at Goldstein Hall PLLC.

The following two excerpts were written by Brooklyn A Law Fellows:

ROMY GANSCHOW, ESQ. Arthur Liman Fellow

Just months after graduating law school, I had the honor of conducting my first trial, on behalf of an extremely low-income client who was illegally locked out of her apartment and is still fighting to return. T is a humble and hardworking woman who holds multiple jobs to make ends meet. She endured terrible abuse by her North Williamsburg landlord for dozens of years, and by 2011, she saw the building that had been once full of low-income tenants like herself quickly empty out. Then in August 2011, she came home to find her door padlocked. The City soon ordered the building to be vacated, purportedly for the safety of tenants like T, because the landlord’s unpermitted demolition work had compromised the structural integrity of the building. T was forced to move miles away from her long-term home while she waited for the building to be repaired. With all of the tenants removed from the building, the landlord renovated it in

Arthur Liman Fellowship

The Arthur Liman Public Interest Program annually funds fellowships for Yale Law School graduates to spend a year working in the United States on public interest legal issues such as welfare rights, homelessness, racial profiling, indigent criminal defense, alternative sentencing courts, immigration, workers rights, and juvenile justice. Liman Fellows work on their public interest law projects for one year, beginning in the summer or fall after the fellowship is awarded. Fellows provide the Program with periodic progress reports, including a final report at the end of the fellowship year.

This year, Brooklyn A welcomed Romy Ganschow (Yale Law ’12) as our Arthur Liman Fellow. Before joining Brooklyn A in September 2012, Ms. Ganschow worked at the Legal Services for Immigrant Communities Clinic in New Haven, Ct., the office of Senator Al Franken in Washington, D.C., and the ACLU of Northern California in San Francisco. She was also a legal intern for Brooklyn A in the summer of 2011.

order to convert it from affordable Rent Stabilized housing to luxury market-rate housing. Before T even knew that the building was habitable again, the landlord gave her apartment away to another tenant, paying more than four times what T struggled to pay just a year before. We immediately brought suit to get T back into her home, and I had the thrill and honor of litigating the case alongside Marty Needelman. Though we are still awaiting a decision after trial, no matter what the outcome, I am rewarded to know that Brooklyn A will continue to fight for T and clients like her, who have been and deserve to *Continued on page 4*

remain members of our vibrant and diverse communities for generations.

Romy Ganschow will be doing a Spanish immersion program for six weeks before returning to California.

LYNN HOROWITZ, ESQ. Boston University School of Law Fellow

Early on a Monday morning, I got a call from a tenant organizer, “Lynn, I met with the tenants of a building that’s in trouble. The landlord’s trying to get them out. Can you help?” – a frequent call received in the Group Housing Unit. A landlord, hoping to turn a recently acquired rent stabilized building into a luxury building, had convinced the tenants that their only options were to either move out or continue to live in

their apartments in horrendous condition unless they paid for repairs.

Yes, I can help. After informing the tenants of their rights and highlighting the strength they would gain in working together, I instantly saw that I was able to dissipate many of the tenants’ fears. Armed with knowledge of their rights and my representation, the tenants were able to sue their landlord in order to protect themselves. After a few months of litigation and negotiation, the tenants had repaired apartments, an abatement of rent, and were free from the landlord’s harassment.

This story highlights three components that make Brooklyn A so special. The first is the impact that a lawyer can have on a tenant’s outlook. By informing tenants of their rights and offering

representation, an attorney can often provide comfort or dispel tenants’ fears. Secondly, in addition to the sense of security that an attorney can provide to previously unrepresented tenants, an attorney can help tenants achieve substantive results. Finally, by working alongside community organizations, Brooklyn A is able to provide immediate representation to address the needs of the communities that it serves. Through my experience at Brooklyn A, I have felt the impact that a tenants’ rights lawyer can have on a community. I hope that this kind of representation continues and expands in years to come and that I remain an integral part of it.

Lynn Horowitz will continue to provide pro bono services to Brooklyn A.

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The following excerpt was written by a Brooklyn A Summer Intern.

RACHEL NAGER

My home is my sanctuary, a place of refuge and security where I feel completely safe and happy. The peace I feel when I enter my home is a luxury in Brooklyn. For the clients at Brooklyn Legal Services Corporation A (Brooklyn A), my conception of home is more of an idea than a reality.

A house is a building, but a home gathers family, echoes laughter, raises children, creates memories, relieves stress, develops intimacy, and allows space for a living archive of culture. Basic survival requires shelter, but I believe it is a human right to live in a home, not just a house. A home builds a human experience, which is greater than just a survival technique. Everyone deserves a home, one where they can seek privacy, find ease, and sleep well.

Martin Needelman Honored with Silver Shingle Award

Brooklyn A Executive Director Martin S. Needelman has been selected as a 2013 recipient of Boston University School of Law’s Silver Shingle Alumni Award for Distinguished Service to the Community.

The Silver Shingle Award is presented in recognition of notable contributions to the legal profession, leadership with the community, unfailing service to the School of Law, and superlative contributions to society.

The award will be presented at the Annual Reunion Gala. Guests of the reception include award recipients and their guests, members of the faculty and staff, and select students and alumni.

The reception will take place on Saturday, October 26, 2013 at the Four Seasons Hotel in Boston, MA.



Brooklyn A 2013 Summer Interns

Christina Bernando, *Brooklyn Law School*; Andre Brewster, *New York University School of Law*; Samuel Chiera, *Brooklyn Law School*; Ashleigh Goit, *Brooklyn Law School*; Austen Ishii, *Fordham University School of Law*; Justin Martin, *New York University School of Law*; Rachel Nager, *City University of New York School of Law*; Nicolas (Nico) Palazzo, *Harvard Law School*; Maabo Tsheko, *City University of New York School of Law*



Perhaps my oneiric perspective is too removed from tangible reality, but with Brooklyn A's team working to create justice and promote human rights in Housing Court, the idea that all people can have a home free from racial, religious, and economic prejudice, from landlord harassment, and from building neglect can actually come to fruition, one client and case at a time. Brooklyn A's mission to represent low-income tenants and promote community strength in the movement to provide affordable housing for the local residents, is one that is truly making a difference. It already has made a difference for the tenants in a building located in the Broadway Triangle whose owner did not provide heat and hot water during the winter. It made a difference for the older woman whose landlord refused to make repairs to her apartment. Another landlord was forced to make improvements to the apartments of the tenants living in mold and lead paint. The elderly couple no longer has to deal with not getting illegally evicted from the rent-stabilized apartment they have lived in for decades. Every time someone needing support, help, and/or guidance is given an opportunity to vocalize their rights, a difference is being made.

My formative experience as a legal intern for Brooklyn Legal Services Corporation A enriched my life and has proven to be a special time. This summer has been eye-opening and heart-warming. The internship offered a glimpse of the challenges people face and the realities of the legal system that are not just or fair, these are the details in our community and of life that are unpleasant to acknowledge and thus are typically overlooked or forgotten. My experience has changed the way I view my community and my role in my own neighborhood.

This internship has shown me the meaning of being an advocate. Empathy is the greatest asset as a lawyer, and the team of lawyers here illustrated how I can be an empathetic advocate for my clients. I learned the importance of pushing beyond my comfort zone, challenging myself, and understanding that my actions are in the best interest of the client. The clients deserve the same housing rights I enjoy. Getting to know the clients encouraged and revitalized me, and the clearer understanding I had about what they dealt with forced me to recognize the purpose of my labor and gave me a face to know who my efforts were affecting. Meeting and working with the clients put a physical reality onto the work performed. Because housing is such a necessity, a sense of urgency and importance followed everything I did. I knew that every day, my actions were affecting someone's life. To have that feeling of purpose made everything worth the time and effort, while compelling me to perform with perfection. Seeing the clients and knowing that my actions were doing a small part

to help their situation gave me a strong sense of fulfillment.

I know I need to have a career in public interest law, working directly with clients. I thoroughly enjoyed my days in court and I can easily see myself doing litigation. I am in law school to be an advocate, and after this summer, I know that I am on the path to achieving my life's calling. This summer has given me the affirmation to feel at peace with the direction toward becoming a public interest lawyer focusing on direct-client representation.

I look back on my legal summer internship and keep fond memories of Brooklyn Legal Services Corporation A. It is a unique organization with a bold mission and a determination to achieve the greatest for its clients. I witnessed great things accomplished, battles fought, and lives changed.

I am appreciative and humbled for this life experience, which altered my perspective and opened my heart. I understand now that my home, my sanctuary, is my community, in which my efforts can be used to embrace and empower.

Rachel Nager is a rising 2L at CUNY Law.



NYC Council Councilmember Diana Reyna speaking, Antonio Reynoso, Chief of Staff to Councilmember Reyna (far left) Councilmember Charles Barron (left), Ramon Peguero, Executive Director, Los Sures (and coalition members)

Brooklyn A & BTCC Demand Justice in Press Conference

ON MAY 8TH, SEVERAL BROOKLYN groups (including Brooklyn A) came together on the steps of city hall to hold a press conference. This press conference drew supporters and staff members of Brooklyn A, Councilmember Diana Reyna’s office, and the Broadway Triangle Community Coalition (BTCC) to City Hall to demand justice in housing rights.

The press conference was a success- with several news outlets covering the issue of discrimination in affordable housing.

Press coverage from Gothamist detailed the difficulties experienced by minority groups in seeking affordable housing in Brooklyn:

“We’ve seen our worst fears playing out into reality,” said Malcolm Sanborn-Hum, Director of Legislation and Com-

munications for Councilmember Diana Reyna. Reyna spoke out against the discrimination yesterday morning in front of City Hall, after community members reported that they had been denied applications to privately owned apartment buildings in the Broadway Triangle, a blatant violation of the Fair Housing Act.

In a story covered by ABC Eyewitness News 7 the ongoing battle between minority groups and Hasidic groups is highlighted:

“Blacks and Latinos in the neighborhood say that the city has conspired with politically connected groups to provide affordable housing strictly for Hasidic families in the area known as the Broadway Triangle, where Williamsburg, Bedford-Stuyvesant, and Greenpoint come together.”

“That left out what would be the opportunities for black and Latinos to participate in this process, therefore not having access to any units,” said Councilmember Diana Reyna, (D) Williamsburg.



Foreclosure in Brooklyn

By David Bryan, Esq.

Director, Consumer and Economic Advocacy Program

A Brief History of the Crisis

The effect of the 2008 crash upon the financial situation of the poor and middle class of Kings County has been devastating to our clients as well as our courts. Civil courts in Brooklyn are experiencing staggering numbers of unresolved foreclosure cases: in 2012, there were 54,445 cases pending in civil court, 14,647 of which were foreclosure cases.¹ This backlog of unresolved mortgage foreclosure cases is evidence of the fact that we face a crisis of vast economic and social implications. This article attempts to give the reader some perspective as to how this came to pass and where we might go from here.

In late 2008 the troubling trend of defaults in residential mortgages that had been building for at least a year rose to a crescendo. This phenomenon was seen both nationwide and within Kings County. Simply put, there were two reasons for defaults of residential mortgages: 1) mortgages that were deceptive from their inception, and 2) the general downturn of the economy resulting in unemployment and, therefore, an inability to pay for housing.

The development, promotion and rampant speculation of mortgage backed securities in the 2000s adversely impacted our clients.² A mortgage backed security is a “bundle” of many mortgages that are packaged together and sold as an income-generating instrument.³ On its face, this would appear to be a logical and safe endeavor. Americans have proven themselves dedicated to the prospect of owning their homes and will dependably pay their monthly mortgages. If creating a dependable source of decades of income for investors by responsible lending motivates the entity providing the mortgages, bundling these mortgages would make perfect sense and would also create a dependable and mutually beneficial source of income.

However, the mortgage securities market failed to sustain a model of responsible lending as the decade wore on. The desire by financiers to escalate the return of their bundles led to mortgages paying higher interest, which are only offered to homeowners with a low credit score. As a result, lenders sought out the homeowner who had previously been excluded from lending due to discriminatory redlining or traditionally being deprived of credit.⁴ Loans were given to these populations who were traditionally marginalized in terms of credit because they were tempting to investors who would see high rates of return.

State of the Problem

Actual fraud by lenders led to our clients being charged thousands more for mortgage payments than originally promised due to resets from

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Brooklyn A welcomes new Board Member Todd Duffield of Paul Hastings



We are happy to announce the newest member to our Board of

Directions, Todd Duffield: a partner in the Employment Law practice of Paul Hastings and co-chair of the firm's Traditional Labor Group. Mr. Duffield is an experienced labor litigator. His practice includes union organizing campaigns and elections, unit clarifications, collective bargaining negotiations, grievance arbitrations, and contract administration under the National Labor Relations Act and the Railway Labor Act. He also litigates unfair labor practice charges before the National Labor Relations Board.

Mr. Duffield also represents private and public employers before administrative agencies, arbitrators, and state and federal courts throughout the country. He has defended clients in single- and multi-plaintiff employment disputes involving allegations of race, national origin, sex and disability discrimination, breach-of-contract claims, restrictive covenant suits, and wage-and-hour collective actions.

Mr. Duffield also has extensive experience advising employers with regard to labor and employment issues in connection with corporate transactions and bankruptcy proceedings.

Foreclosure

“teaser rates,” or lower interest rates that are used to attract buyers. For example, a client that was promised a rate of \$1,500 in monthly payments now had to find a way to pay the \$3,500 demanded by monthly mortgage statements that showed up in the mail six months later. Many of our clients from 2011 to the present also had less than desirable loans with high interest rates but heroically made the payments until they were affected by unemployment and underemployment.⁵ The homeowner would then face interest in arrears, or the debt from the interest that is overdue after missing one of several payments.

In the face of this impending ca-

leader in exposing this conduct because of its commitment to give the borrower a chance to save his/her home.⁶ Unfortunately, this commitment led to a bottleneck of over 15,000 unresolved cases.

Recent developments

In February 2013 Judge Lawrence Knipel replaced Judge Sylvia Hinds-Radix as Chief Administrative Judge of Kings County and immediately instituted a series of actions to reduce the backlog of foreclosure cases.

Previously to Judge Knipel’s admin-



CPLR sec. 3408 required that a bank seeking foreclosure had to meaningfully engage in a mediation process to find a settlement. . . . Brooklyn became a mainstay of attempting to compel fair resolution of these cases by a negotiation under “good faith.”

tastrophe, our legislators imposed new requirements on banks seeking foreclosure in New York. Real Property Actions and Proceedings Law (RPAPL). Sec. 1303, for example, was intended to allow for greater protections for homeowners by imposing a notice requirement on any foreclosing party. CPLR sec. 3408 required that a bank seeking foreclosure had to meaningfully engage in a mediation process to find a settlement. While different counties instituted this requirement to different extents, Brooklyn became a mainstay of attempting to compel fair resolution of these cases by a negotiation under “good faith” as required by CPLR sec. 3408.

Complicating the issue, some counsels for banks complicated the problem by presenting obviously fraudulent documents and cases in the efforts to pursue foreclosure. Brooklyn became a national

istraction these conferences pursuant to CPLR sec. 3408 could have many appearances spanning months if not years. For banks, the decision not to engage mediation or settlement conferences in a meaningful fashion permitted cases to linger in limbo indefinitely; this serves as a way for banks to avoid settlement conferences by adding to arrears for the homeowner.

A key step taken by Judge Knipel to address the issue of prolonged settlement conferences was to limit the number of foreclosure settlement conference to no more than four appearances without judicial approval. However, such a limitation proved also to favor the position of a reluctant bank. Inasmuch as the prospective loan modification in most cases will result in a bank making less money than the original loan or the net present value of the proposed foreclosure, the

bank often would rather quickly foreclose in order to sell the house and recoup its investment. By limiting the number of appearances to four, the reluctant bank is again able to avoid processing the loan modification application.

A second decision implemented by Judge Knipel was to aggressively move to dismiss cases that had been on the Court’s calendar without being pursued by the banks for extended periods of time. While a swift dismissal of the case may seem helpful to homeowners, it leaves unresolved the question of what is to be done with the many months of interest and fees charged by the banks. The arrears are then used as a reason to deny loan modification: if the banks simply add these charges to the homeowners “tab” the mortgage will eventually become too large to be modified.

Therefore, a case that could have been resolved by the bank sacrificing a small portion of the arrears becomes a case where a homeowner must potentially lose their home.

Considering solutions

The scope of the current foreclosure epidemic supersedes that of the Great Depression. In 1933 1.4% of home (non-farm) mortgages were in foreclosure, in 2010 4.63% of home mortgages are in foreclosure.⁷

It is important to ensure, in implementing a solution to the issue, that banks

are not given an advantage for their hand in creating the backlog of foreclosure cases. Refusal by banks to meaningfully engage in settlement conferences allows for the arrears of monthly mortgage payments to continue to build, further punishing homeowners who have been victims of predatory lending. Banks must be compelled to move cases along by seeking fair settlement upon pain of losing their arrears and possible contempt from the Court. To fight possible bad faith delays the Court must find a way to make delay too costly to the banks.

Similarly, hastily dismissing cases on behalf of the courts only creates a dynamic where it is even less likely that mortgages can be modified. The court must determine the amounts that have been accrued during the pendency of the case that can be attributed to the banks and order that these funds cannot be assessed to the homeowner.

Moving Forward

Brooklyn A's work with the foreclosure crisis has become more robust over the past few years. Although it is likely that

more Brooklyn residents will lose their homes we are progressing with tactics to allow homeowners avoid foreclosure, moving from mediation to the use of litigation in trying to allow for residents to hold onto their homes. Through litigation, we attempt whenever possible to find a settlement so that our clients can determine their own fate by demonstrating fault over the course of mediation or concerning fraud or procedural fault in the underlying foreclosure case.

Finally, we continue to hold community outreach events to help educate our neighbors as to their rights as homeowners. One such event was our April 29 seminar entitled, 'What Color is Your Mortgage?' that outlined the historical practice of discriminatory predatory lending and the options available to those who may have faced discrimination in loans or are facing foreclosure.

We will continue to hold outreach and educational events. Please visit our website, www.bka.org, to learn about future events as well as to access the 'What Color is Your Mortgage' brochure and other informational materials.

1. Charisa L. Miller, "Brooklyn courts making strides to dispose of cases" Brooklyn Daily Eagle, 25 April 2013

2. The clients served by Brooklyn A's Consumer and Economic Advocacy Program, which works in the areas of foreclosure defense and anti-predatory lending, are predominantly lower middle-class African-American homeowners

3. These "bundles" are also commonly referred to as mortgage bonds or securities.

4. "Redlining" is a term that was coined in the 1960s for the practice of denying credit to certain communities that were often racially determined. Although the Fair Housing Act of 1968 was passed to discourage the practice of redlining, we are still seeing its effects in predatory lending.

5. Some of these clients have been employed for years in jobs that are now "winding down" due to outsourcing and automation; professions such as printing and binding of books which are being automated have left middle aged persons with little other education exposed to unemployment. In addition, the decline in government and government contracted employment in the post stimulus environment renders long term maintenance staff unable to pay the mortgage when their hospital or nursing home closes or scales back.

6. For more details on these cases see the rulings of Judge Schack, Appellate Division 2nd Dept. decisions such as *Bank of N.Y. v. Cepeda*, in which the Judge canceled the notices of pendency for the defendant and ruled that the bank could not prove its subject mortgage and note

7. David C. Wheelock, "The Federal Response to the Home Mortgage Distress: Lessons from the Great Depression" Federal Reserve Bank of St. Louis Review (2008) p. 133, 138-39.

Brooklyn A goes to the Cyclones Game

On July 18, 2013, members of the Brooklyn A family including board, staff, interns, and volunteers, attended our annual outing at the Brooklyn Cyclones baseball game.



Brooklyn A wins 'B' Green Challenge



National Grid Energy Efficiency Representative Kiel Costella (left) congratulates 'B' green challenge winner Martin Needelman

WE ARE HAPPY TO ANNOUNCE Brooklyn A is a recipient of the 'B' Green Challenge hosted by National Grid, Barclays Center, and the Brooklyn Nets. The Challenge promotes energy efficiency among Brooklyn small businesses.

Brooklyn A has taken steps to reduce our energy use by installing programmable thermostats on each floor of our building to help manage energy usage, sealing air leaks around windows with weather stripping, and making roof repairs. Since making these improvements, we've had a 20 percent reduction in our energy costs. Through our

Green Building Law and Justice (GBLJ) Project, we provide legal assistance to non-profit community development corporations and community-based organizations undertaking environmentally sustainable or "green" community development projects.

"We're extremely thankful for the recognition. Through our GBLJ Project we've been working with several organizations toward the construction of green affordable housing and the alteration of existing housing to include more energy efficient elements like airtight building envelopes, high efficiency windows and solar power," said Martin S. Needelman, Executive Director and Chief Counsel of Brooklyn A. "Therefore, it was important for us to lead by example. We began our energy efficient measures over a year ago and plan to continue the work on our building including adding

solar panels to our roof."

The 'B' Green Challenge presented by National Grid encourages and helps businesses to implement energy savings tips to save money and energy and protect the environment. To participate in the challenge Brooklyn small businesses can register here. The first 100 businesses to register for the Challenge will receive a free do-it-yourself energy efficiency item — a programmable thermostat, pipe insulation or weather stripping. Each month the businesses answer a few short questions about steps they are taking each day to 'B' Green. National Grid, the Brooklyn Nets and Barclays Center review the submissions and select a winning business. The winning business

receives tickets to a Nets game or Barclays Center event, autographed Nets memorabilia, a plaque and recognition on barclayscenter.com.

"We are committed to partnering with our customers and communities to help them manage their energy needs," said Kiel Costella, National Grid Energy Efficiency representative. "Congratulations to Brooklyn A for taking the 'B' Green Challenge and we look forward to helping more Brooklyn businesses 'B' Green and realize long term savings on their energy bills."

National Grid is the proud energy partner of the Brooklyn Nets, the natural gas provider to Barclays Center and the presenting sponsor of the arena's 'B' Green initiative to inspire Barclays Center guests to help the environment based on the sustainability practices the arena is incorporating into its own operations.

NYC Council allocates \$300,000 to Brooklyn A

In a June 27th press release (detailing an updated NYC budget including Brooklyn A's allocation of \$300,000 to support anti-eviction and homelessness prevention legal services), Councilmember Diana Reyna said:

"This budget cycle was particularly important to me as it was my last opportunity to represent the 34th District at budget hearings, during negotiations, and at the moment of adoption. As always, I fought hard to ensure the services that my constituents depend upon remained fully supported by the City."

We are happy to have the support of Councilmember Reyna, Speaker Quinn, the entire Brooklyn Delegation and the Black, Latino, and Asian Caucus, and other members of the NYC Council!

Extern Updates!



Jessie Rose (left), **Kim Vu** (center) and **Lulu Liu** (right) both former Simpson Thacher & Bartlett LLP associates and CED Program externs AND introducing Kim's son **Bruce Dau** (center bottom) to the BKA family! Lulu was an extern from June 4,

2012 to October 26, 2012 and Kim was an extern from February 23, 2011 to July 14, 2011. Kim is now in house counsel at a pharmaceutical in NJ and Lulu just started this week a new job with a US government Internal Aid organization in DC.

CED Program attends community garden rededication ceremony

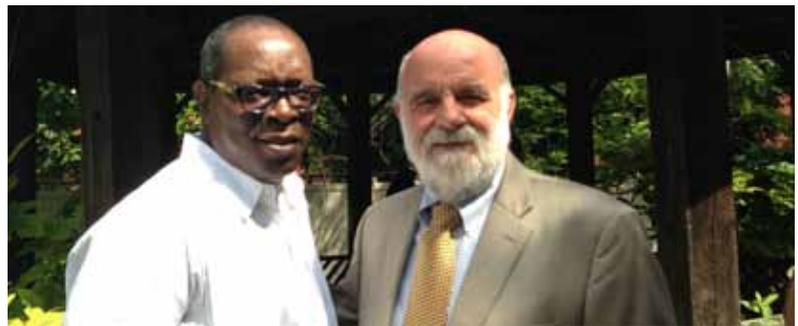
Community and Economic Development (CED) Program client Northeast Brooklyn Housing Development Corporation (NEBHDCo.) rededicated its garden at 385 Kosciuszko in Bedford-Stuyvesant on July 31st, 2013.

Brooklyn A CED Program attorneys were in attendance to show support for their clients and the rededication. NEBHDCo has been a client of Brooklyn A's CED Program since 1985.

NEBHDCo. is a nonprofit organization with a mission to provide affordable rental housing to low-income residents of Central Brooklyn, with an initial focus on advocacy through block associations, merchant and tenant organizing.



Brooklyn A's CED team (from left to right): Charles Clinton, Mike Zimmerman, Paul Acinapura, and Jessica Rose



Jeffrey Dunston (left), Chief Executive Officer of Northeast Brooklyn Housing Development Corporation with Brooklyn A's Paul Acinapura



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