

AABANY Fall Conference 2021

Fighting for Housing and Community Justice: The Role of Lawyers in the Movement

1. Program

Communities Resist is a new legal services organization for housing and community justice in NYC, founded by public interest lawyers who have worked together for years. We are an organization comprised largely of people of color; co-founded by three people of color and children of immigrants; led by an executive director who is one of two women of color that leads legal services in NYC; and with a strong belief that lawyering is just one (and often not the most powerful) aspect in the struggle to keep families in their homes and defend neighborhoods. As community advocates rooted in anti-displacement work for years in some of the most gentrified neighborhoods in NYC (based in North Brooklyn and expanding to Western Queens), we undertake our advocacy with a clear-eyed vision of who we are and what we stand for. We believe that housing is a human right and that the government has an obligation to provide for it. We believe that the fight for tenants' rights and housing justice must advance racial, gender, and economic justice. Fundamentally, organizing must be the backbone of any effort to protect tenants, whether that be a building-wide rent strike to protest bad conditions or a community coalition mobilizing against a discriminatory rezoning.

Our session topic is the role of community lawyers in fighting to defend poor neighborhoods of color from gentrification and displacement. We approach this topic from two different perspectives:

First, based on our decades of institutional experience as the only lawyers for some of the most gentrified neighborhoods in NYC (Williamsburg/Bushwick/Greenpoint), we will discuss the nature of the struggle to defend neighborhoods for which outside actors, both private and public, are imposing their vision without centering the voices of individuals who have called those communities home for years. A key element of this work is exploring the role of attorney in these efforts, specifically the way in which lawyers must understand that the laws/rights on paper are meaningless in reality when they are not enforced; that the lawyer must not center himself in this struggle, and it is the tenants we serve along with the organizers we work with who must lead it; and that real change does not happen in a courtroom or with a judicial victory alone. Drawing from different examples of community-wide fair housing litigation in which we have engaged as well as the stories of low income tenants we have represented, we will discuss the role of community lawyers within the broader framework of the housing laws and tenants' rights in New York. Through this perspective, we will also present on different legal and advocacy strategies that public interest lawyers like ourselves employ to ultimately achieve justice for the immensely vulnerable communities we represent.

Second, in addition to discussing these themes within the substance of the work we do, we will also discuss our formation as Communities Resist -- because it relates to precisely these concepts, a radical project to challenge the conventional provision of legal services from a race, class, and gender standpoint. We felt it critical that the work that we do as lawyers and advocates be done principally by those who look like and come from the neighborhoods we serve. It is the only way to break down the barriers of privilege that are constructed between public interest lawyers and their clients and communities, in light of the way public interest legal services has historically been provided. Central to our mission as Communities Resist is that legal services organizations must always be accountable to and representative of the communities they serve. In short, our proposal is to deconstruct and analyze the role of movement lawyers serving poor people of color, both in terms of how the legal advocacy is done and who it is done by, in order to effectively advance housing and community justice.

2. Timed outline, as required for accreditation

- Introductions (10 minutes)
- Discussion with panelists on the following topics (70 minutes)
 - Approach to Community-Based Lawyering (15)
 - Updates on Affordable Housing Crisis and Laws (20)
 - Community-Wide Fair Housing Litigation and Addressing Racial Disparities (20)
 - Future of People of Color Attorneys in Legal Services (15)
- Q&A (10 minutes)

3. Speaker Biographies

Moderator: Lina Lee, Executive Director and Co-Founder of Communities Resist: Ms. Lee has extensive experience representing lowincome immigrant tenants facing eviction, harassment, and housing discrimination in some of the most gentrified neighborhoods in NYC. She has worked closely with tenant and community organizers, played a lead role in community coalitions fighting displacement, and represented numerous tenant associations involved in protracted struggles against slumlords. Ms. Lee was previously a deputy director at Brooklyn Legal Services Corporation A and a staff attorney at the MinKwon Center, where she represented Asian immigrant tenants across NYC in dire need of culturally and linguistically accessible legal services. It was with this perspective in mind that Ms. Lee co-founded Communities Resist. Ms. Lee was recognized in 2021 Nonprofit 40 under 40 by City & State New York. Ms. Lee was also selected to participate in the Coro, Immigration Civic Leadership Program, 2014 Cohort, as a city-wide housing specialist resource and to implement an initiative on language service programs in housing court. She currently serves on the MinKwon Center board.

Panelist 1: Shekar Krishnan, Co-Founder of Communities Resist and City Council Elect, District 25: Mr. Krishnan has spent a decade serving the communities of color of North Brooklyn that have faced serious threats of residential displacement. Representing a coalition of 40 community organizations, he led years of litigation against the City of New York over a rezoning in North Brooklyn that violated the Fair Housing Act, resulting in a landmark settlement just two years ago that set precedent across NYC. Mr. Krishnan has worked closely with tenant organizers and community partners in the representation of tenant associations against criminal landlords. He is also a longtime activist in Jackson Heights, Queens, one of the largest immigrant communities, especially South Asian, in the country. He has authored numerous articles on these issues of community advocacy and lawyering, and led citywide efforts around the provision of anti-displacement legal services. Mr. Krishnan previously directed housing litigation at Brooklyn Legal Services Corporation A. He had also served as a law clerk for the Honorable Jack B. Weinstein of (EDNY) and as an associate at Weil Gotshal & Manges LLP and Patterson Belknap. The perspective gained from his years of public interest litigation work is what pushed Mr. Krishnan to co-found Communities Resist. He is currently the City Council Elect for District 25 serving Jackson Heights and Elmhurst.

Panelist 2: Gregory E. Louis is a Co-Founder of Communities Resist and an Associate Professor of Law at the City University of New York, specializing in business, nonprofit, and municipal corporate law as well as contracts.

At three community lawyering offices, he also supervised department staff, litigated cases, and performed transactional work in connection with representing tenant and shareholder associations, low-income housing cooperatives, community coalitions, and community-based organizations. This civil legal services work involved advising on nonprofit governance and compliance and on land use, including community benefit agreements as well as affirmative litigation before federal courts under the Fair Housing Act and Administrative Procedures Act, state courts under the Business Corporation Law, and housing court under Article 7-A of the RPAPL and Section 110 of the New York City Civil Court Act. Professor Louis also was a business and finance associate at Morgan, Lewis & Bockius, LLP representing public and private entities in asset and stock purchases, corporate restructurings, and securities compliance, and a Morgan Lewis Public Interest Fellow representing and advising a nonprofit group on corporate restructuring and tax matters.

Prior to law school, Professor Louis tutored and taught Harlemites, Bronxites, and students from the Heights as part of an EII program for junior high school and high school students at Columbia University's Double Discovery Center. His scholarly interests center on corporate and social power and the enforcement of law, especially as it relates to local immigrant communities and those of color.