



NEIGHBORHOOD  
LEGAL SERVICES, INC.

# INSIDE NLS

News from the front lines of Neighborhood Legal Services

April, 2019

## Landlord from Hell Meets NLS Attorney With the Law on His Side

Matt Finamore, an attorney in NLS's Housing Unit and based in the Niagara Falls Office, represented a working mom, "Dorothy" in a landlord/tenant proceeding. Matt's client and her fiancé take care of Dorothy's teenage daughter who has mental health conditions, including agoraphobia. Conditions in the apartment were terrible. It had bed bugs, rodents, no hot water, no heat, a kitchen sink that would not drain, and garbage littering the hallways. The landlord represented himself at court and proved to be the landlord from hell. In court, the landlord consistently talked over the Judge, the witnesses, and Matt. At one point while Matt was presenting his case, the landlord slammed his folder down on his table and announced "we're done here!" The Judge quickly informed him who decides when the case is done.

Matt was able to show that the landlord lied under oath. For example, the landlord testified that the building was never condemned. When Matt confronted him with Code Enforcement documentation indicating that it was, the landlord said the building condemnation only lasted one day. When Matt confronted the landlord with a letter from Code Enforcement indicating that the condemnation of the building lasted several weeks, he then tried to remedy that by saying that no part of the building was currently condemned. In fact one of the apartments was currently condemned (and he had tenants living in it) and Matt presented evidence of this.

The Judge ordered a 100% abatement of the rent until the landlord makes the necessary repairs. Matt's clients will use the money saved and time provided by the abatement to find a safer and healthier home!

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*"Those who say it can't  
be done are usually  
interrupted by those  
doing it."*

- James Baldwin

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**NLS does not use the  
actual names of clients  
in *Inside NLS*.**

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- Dangerous Housing Conditions Lead to Trouble for One Client
- Lynn Urqhart shares a personal experience
- NLS Good News
- Access to Benefits is a Continuing Struggle for NLS Clients
- Litigation Update

# NLS Represented at the 2018 Hearing on Civil Legal Services in NYS



NLS former client, former board member and current part-time employee, Tasha Moore, testified last fall for the Chief Judge’s 2018 Hearing on Civil Legal Services in New York State. Tasha testified at a public hearing held at the New York State Court of Appeals. She presented her remarks to the Chief Judge of the State of New York, the Presiding Justices of each of the Appellate Departments, the Chief Administrative Judge and the President of the New York State Bar Association.

Below is an excerpt about Tasha’s testimony from the 9th Annual Report of the New York State Permanent Commission on Access to Justice.

*Tasha Moore, a mother of five, was a client of Neighborhood Legal Services in Buffalo, where she lives. Ms. Moore was recovering from an addiction and also suffered with mental health issues. Despite being clean for 11 years, she encountered many barriers and challenges while struggling to become a productive member of society. When she came off public assistance, the government claimed she had been overpaid benefits and sought to recoup those benefits. She went to Neighborhood Legal Services for help. Working closely with Neighborhood Legal Services, Ms. Moore was able to alleviate the strain of her financial situation.*

*Since that time, Ms. Moore has successfully graduated from community college, received a Bachelor’s Degree from Buffalo State University, and started working toward her Master’s Degree. Ms. Moore stated: “It is important for Buffalo and everywhere else in New York State, that Legal Services continue to get funding. I do not know where I would be if it wasn’t for Neighborhood Legal Services.” She concluded: “I do not want to begin to think about what would happen to my community and the underserved if there was no Legal Services to turn to for legal help.”*

Through her remarks Tasha brought attention to the important work of NLS and how our work can change lives. Her testimony was so compelling and delivered so well that she received a private note of appreciation from the Chief Judge, the President of the NYS Bar Association and from the Chair of the New York State Permanent Commission on Access to Justice.

In addition, the story of her testimony was repeated at the Partnership Conference and when Lauren attended the Permanent Commission on Access to Justice’s Statewide Stakeholders Meeting last October, Judge DiFiore and NYSBA President Michael Miller spoke at length about Tasha’s compelling testimony about the value of legal services in her life.

Thank you Tasha for all you have done to shine a light on the important work we all have done and continue to do at Neighborhood Legal Services!

## NLS Good News!

Please join Inside NLS in welcoming new staff members!

Staci Bucci – New Secretary/Receptionist in the Niagara Falls Office.

Danny Galvin - Joins the Buffalo Public Benefits Unit as a paralegal.

Jordan Connell - A new paralegal in the Family Unit of the Buffalo Office.

Miranda Carrasco - Who takes over from Pearline Martin as Secretary of the Family Unit in the Buffalo Office.

And Courtney Faircloth the new attorney in the Public Benefits Unit in the Buffalo Office.

And...

Congratulations to Pearline Martin, the new paralegal in Buffalo's Family Unit

And last but not least the Disability Unit in the Buffalo Office welcomes Hallie Brownstein as a new paralegal and the Buffalo Public Benefits Unit welcomes Amy Bushberg as a new PB paralegal.

## The Disability Advocacy Project: Protecting the Rights of the Disabled Across Five Counties

The Disability Advocacy Project (DAP) represents low income clients who are unable to work because of a disability. DAP represents clients whose applications for Supplemental Security Income or Social Security Disability benefits have been denied or rejected by the Social Security Administration.

Generally, paralegals JoAnn Lewandowski (Buffalo Office), Darlene Westphal (Batavia Office), Luis Santos (Niagara Falls Office), and Laurie Tanner (Buffalo Office), and attorneys Stephen Brooks (Batavia) and Deborah Olszowka (Niagara Falls) prepare for and represent clients at administrative hearings before Federal Administrative Judges. Their efforts are supported by paralegal Heather Kuhn (Buffalo) and DAP Secretaries Lynn Urquhart (Buffalo), Cherie Hickey (Batavia) and Staci Bucci (Niagara Falls).

The hearings are often quite complex involving hundreds of pages of records from many different sources. When not successful at the hearing stage, DAP evaluates the case to determine if it merits written arguments to the Appeals Council. If the Appeals Council Declines to grant review, Supervising Attorney Joseph Clark and attorneys Stephen Brooks and Linda DeTine (Buffalo) decide if the merits of the case warrant action in the Federal District Court against the Social Security Administration.

Currently, the DAP Unit has more than 40 appeals pending before the Western District. So far in 2019, the DAP Unit has been very successful with its Federal Court litigation and has already been approved for more than \$20,000 in attorney's fees for Neighborhood Legal Services.



## Domestic Violence Solutions and Helping Those in Need

Theresa Ferrara met with a client “Blanca” at the Family Justice Center. Blanca is from Puerto Rico and has no family or friends in Buffalo. Blanca is disabled and has very limited English proficiency. A few days earlier, Blanca’s husband had punched her twice in the face. He struck her once on the left side of her face, causing bruising, swelling, redness, and pain. The other strike was to the bridge of her nose, causing a laceration, bruising, swelling, redness, and pain. This particular strike also broke her glasses. Two weeks earlier, Blanca’s husband became angry at her for bending his EBT card and he kicked her in both of her knees. This caused bruising, swelling, and pain. Additionally, the husband has tortured and killed three family pets

Theresa immediately electronically filed a family offense petition that included an emergency ex parte application for a temporary order of protection. In her petition Theresa cited the following: (i) Harassment in the first or second degree, (ii) Aggravated harassment in the second degree, (iii) Assault in the second or third degree, (iv) Menacing in the third degree, and (v) Criminal mischief.

The Court conducted a hearing via satellite with Theresa and her client at the Family Justice Center. Based on the hearing, the court granted the emergency ex parte temporary order of protection. Pending the next court appearance, Blanca’s husband must stay away from her and is not allowed in the home. Thankfully, Blanca has a wonderful advocate at Hispanics United of Buffalo who is helping her seek employment and shelter at some other location.

***Neighborhood Legal Services Partners with The Erie County Family Justice Center to bring needed services to survivors of domestic violence in Erie County.***

**THE POWER IS IN YOUR HANDS**

**STOP DOMESTIC VIOLENCE**

24-HOUR  
DOMESTIC VIOLENCE  
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&

**(716) 884-6000** 🏠

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COUNSELORS ARE READILY AVAILABLE TO  
HELP YOU 24-HOURS A DAY.

IN COLLABORATION WITH:

- Child & Family Services Haven House
- Crisis Services
- Erie County  
- Department of Social Services  
- District Attorney's Office  
- Sheriff's Office
- Family Justice Center
- Hispanics United of Buffalo

## Have a Story to Share?

Email your story to  
Jim Morrissey at  
[jmorrissey@nls.org](mailto:jmorrissey@nls.org)

## GIVING HELP GIVING HOPE

The mission of Neighborhood Legal Services, Inc. is to provide a full range of free civil legal representation to low income and disabled people residing in Erie, Niagara, Orleans, Genesee, and Wyoming Counties, in matters involving their financial security and the legal rights which affect the stability of families and individuals. Our goal is to create the greatest access to the justice system for those low-income and disabled people without the means to pursue their rights. Our mission also includes providing outreach and training services to underprivileged populations and the community agencies which serve them.