



NEIGHBORHOOD
LEGAL SERVICES, INC.

INSIDE NLS

News from the front lines of Neighborhood Legal Services

August, 2019

Congratulations!



Mary Hanson with Batavia Supervising Attorney John Zonitch

Batavia Staff Attorney Mary Hanson was admitted to practice in the United States District Court for the Western District of New York on July 12, 2019.

Mary has been with NLS since 2008. Mary is adept at every area of law at NLS and brings that knowledge to every case she handles.

This is one more way that Mary, and the staff of Neighborhood Legal Services do whatever is necessary to assist our clients to meet their legal needs.

“Love and compassion are necessities, not luxuries. Without them, humanity cannot survive.”

- 14th Dalai Lama

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



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Poor Housing Conditions “Bug” NLS Client

“Kara,” her fiancée, and their three children moved into their new home in April, 2019. Immediately after moving in, Kara began to notice the telltale signs of a bedbug infestation. The infestation became unbearable as Kara’s family was eaten alive each night by the bugs. To make matters worse, as a result of the stigma associated with bedbugs, Kara lost her job. Further, she and her family were unable to even seek medical care for the bites because their PCP would not see them while living in a bedbug infested house.

Kara spoke to her landlord about this situation. In these discussions, her landlord revealed that the apartment had been treated for bedbugs mere months before Kara’s tenancy began. However, the landlord did not disclose this to Kara prior to executing the lease. Never-the-less, the landlord’s answer was to send another exterminator, who peeled back a wooden baseboard to find a nest of hundreds of bedbugs.

Unable to sleep, unable to work, unable to even seek treatment for the bites, but desperate for help, Kara contacted Neighborhood Legal Services. Her primary concern was getting out of her one-year lease, which she would have never signed if her landlord told her about the infestation. However, she was also concerned that even if she did, she and her family would not have the resources to move (much less replace the furniture that would have to be abandoned due to the infestation).

The first solution presented to her was asking the Department of Social Services to intervene and help Kara relocate. However, Niagara County DSS (NCDSS) generally only provides emergency moving assistance when the client can document that the bedbugs are a risk to the client’s health. Being as Kara was unable to see her PCP and could not afford urgent care or an emergency room bill, this option was off the table.

As such, NLS Attorney Matt Finamore contacted the landlord to negotiate. Matt advised the landlord of his breach of New York law through his failure to disclose the infestation, as well as his breaches of the warranty of habitability which is a part of every lease written or unwritten in NYS. Simply stated the landlord must provide tenants with a dwelling that is fit for habitation. In addition, Matt further advised the landlord that both Kara and her fiancé would be launching separate small claims actions against the landlord if he did not make this right.

After two weeks of negotiations, a settlement was finally signed. The landlord was given a general release for liability related to the tenancy in exchange for \$5,000.00, tendered to Kara and her fiancé. This amount consisted of repayment of *all rent* that Kara paid her landlord over the course of her four month tenancy, the return of Kara’s security deposit, and \$2,300.00 for property damage resulting from the infestation. In addition, the lease will terminate by mutual consent of the parties on August 31, 2019. No further rent will be charged.

Kara and her family intend to use the money to locate to a new, healthier home and buy new furniture to make up for what they lost to the bedbugs.

NLS Good News!

On a sad note, NLS prepares to say goodbye to Family Unit Attorney Aparna Balakrishnan at the end of August as she and her family begin their new adventure in North Carolina. Good Luck Aparna, you will be missed!

Also we will be bidding a fond farewell to Disability Attorney Linda Detine in September. Best of Luck Linda!

NLS Tackles Housing Problem From All Angles

“Melanie” was facing eviction in Buffalo City Court. She was represented by the NLS Housing Unit. Melanie suffers from Huntington’s disease and has 4 young children in the household. Huntington’s disease is a progressive neurological disorder for which there is limited treatment and no cure. This disease causes severe neurological problems and memory loss. It results in death. Her symptoms have become more pronounced over the last year.

She received a warrant of eviction on July 9th as she owed two month’s rent. According to New York State’s new housing law, if she paid all of the back rent before the warrant was executed, Melanie would be able to continue her tenancy. She had a rent subsidy from Catholic Charities that had stopped due to her eviction. Catholic Charities would pay one month’s rent and restore her subsidy if NLS could help her get June’s rent.

Unfortunately, the client was unable to get a letter of guarantee from the Erie County Department of Social Services because she had a prior loan. Public Benefits Supervisor Penny Selmonsky vigorously argued extenuating circumstances, but ECDSS would not budge.

Jennifer Klemenz, a housing unit law student (and future pro bono scholar) tried to get the one month’s rent to prevent Melanie’s homelessness. With only a few days to spare, she and Public Benefits Attorney Karen Welch wrote to Maria M. Love Convalescent Fund to apply for payment of the June rent on behalf of Melanie.

This request was double what the Foundation generally will pay. Maria Love generously made this one-time payment. Jennifer was then able to make sure the landlord was paid the total rent owed as Maria M. Love paid the full \$600 for June’s rent and Catholic Charities paid July’s rent.

Melanie and her family were able to stay in their current apartment and will have a rental subsidy through October. In the meantime, Tasha Moore, a social worker student working at NLS (and former board member) is meeting with Melanie to assist her in applying for disability benefits and help with her public assistance case in order to create more financial stability for this family.

A perfect case of inter-unit cooperation that resulted in the best possible outcome for our client.

Good work!

PROMISE Program and NLS Give Hope to Disabled Client

“Josh” came to NLS in 2017 for help. During the intake interview, Disability Paralegal, Viola Palmer learned that SSA had terminated Josh’s SSI benefits in July, 2016 because it was determined that Josh was no longer disabled due to medical improvement. After an investigation, Viola also learned that SSA had randomly assigned Josh to the Promoting the Readiness of Minors in Supplemental Security Income program (PROMISE).

PROMISE is a Social Security Administration (SSA) Demonstration Project that offers special services and considerations to young people who receive Supplemental Security Income benefits (SSI). The goal of PROMISE is to help young people successfully transition from high school to adulthood and achieve financial independence.

PROMISE allows SSI benefits to continue even when SSA determines that a recipient is no longer disabled because of medical improvement. The goal is to provide the recipient with continued SSI benefits and special services in hopes that the recipient will attain financial independence and no longer need SSI benefits.

Viola advocated on Josh’s behalf and made a formal request to SSA that it reinstate his SSI benefits back to July, 2016. Viola also demanded that SSA continue Josh’s benefits as required by PROMISE. As a result, SSA reinstated Josh’s SSI benefits starting with the date of Viola’s request. Viola continued to seek back benefits on behalf of Josh. In May 2019, Josh received a notice of an underpayment of SSI benefits and he will be receiving \$20,715 in back payments. Way to go Viola!

Friends and Family Gather for the 2019 NLS Summer Picnic



Thank you to JoAnn Lewandowski and everyone who made the day possible!

NLS Shows Some Love to the Student Interns Who Make it all Possible

By April VanOrman

On Wednesday, July 31, 2019, Executive Director Lauren Breen joined Neighborhood Legal Services' summer interns for lunch at Chef's Restaurant. Since we didn't all know each other, we introduced ourselves, shared our unit and location, and the kind of work we have been doing this summer. With the formalities out of the way conversation and bread was passed around the table while we made our lunch choices. We discussed everything from troubling legal concepts and the financial compensation of a woman donating her eggs (upwards of \$14,000!) to the bar exam, keto diets, and upcoming weddings. We happily shared our experiences, joys and sorrows as we move forward toward our legal careers. We passed pictures of our children and we discussed tactics to bribe, I mean "encourage", said children to go outside and play.



(l-r) Darian Wilcom, Madeline "Maddie" Arlich and Jennifer Klemenz



Alex Segelhurst and his surprising meatloaf sandwich

Starter salads out of the way, lunch arrived. Alex's cheese-smothered meatloaf sandwich took us by surprise, including Alex, and he was cajoled into a photo. With everyone eating, Lauren took the opportunity to ask everyone to share something they will remember from their summer at NLS. A tough legal problem, the importance of writing



(l-r) Matthew Garrett, Tasha Moore, April VanOrman, Alex, and Nick Kaiser



(l-r) Josh Parucki, Molly Smarr, Darian and Maddie

down tasks and assignments, the impact of our work and work-location on our lives, and that feeling of finally finding the answer to a research question were among the our memories. Madeline laughed and joked that the extra "door" in the ladies restroom on the 5th floor will also stay with her forever. As the summer comes to an end, it was a sentimental way to reflect on the summer – some legal knowledge, some life knowledge, and definitely a lot of experience. Speaking of endings, and not to brag, but the ice cream and cannoli for dessert were delicious!

And finally...



The Administration Unit and proud parents Cassandra and Erik Coniff are proud to announce the arrival of Jackson Coniff. Jackson joined the family on July 25, 2019 at 9:32 p.m. weighing in at 6 pounds and 3 ounces.

Welcome Little Man!

Have a Story to Share?

Email your story to Jim Morrissey at 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.

Who Am I?



Want to play?

Send your baby picture - or a picture of your baby co-worker - to kculmer@nls.org.

The answer next month!



This little cutie is Public Benefits Paralegal Karen Hawkes. Karen has been a member of the NLS team since 2006 and she helps our clients with utility related issues including HEAP.