

NYC Housing Court:
A *pro se* Tenant's Experience

Narrator: *It's 8:30 am in housing court in Jamaica, Queens. Tenant 1, a mother of 3, arrives to Sutphin Blvd. and gets in the back of the line which trails for half a block.*

Tenant 1 and Tenant 2 get in line...facing forward.

Tenant 1 *[speaking out loud to yourself]:*

I hope I can get a lawyer today because I can't afford to get evicted. Not with my three children. I have to have a home for them.

Tenant 2 (turn around to face Tenant 1)

Honey, you're too late to get a lawyer!! You gotta be here by 7 and be in the first six people in the line to be able to get a lawyer. You're on your own, sister.

Tenant 1

I heard that the city pays legal aid lawyers to defend us in court.

Tenant 2

Yeah, but they only help about seven or so tenants a day. That's why you have to be here so early to get at the head of the line if you want a lawyer. Or maybe go to BronxWorks or one of those places and see if they can give you a lawyer.

Tenant 1

But the landlords have lawyers. If I don't have a lawyer what kind of chance do I have? I don't know anything about housing court laws and how to do the things that those lawyers do every day, so how can I defend myself?

Tenant 2

Defend yourself? You owe back rent, right?

Tenant 1

Hell, no! I pay my rent early every month. That's the first thing I do. I might owe money to other people and I might have to go without some things I need, but I always make sure the rent is paid first thing every month. I have all my receipts right here, going back to more than three years. But they still say I owe them and that I have to leave my apartment.

Tenant 2

I hear you....good luck!

Tenant 1 and Tenant 2 stop talking and move up in the line to enter the court.

Tenant 1: *walks around in circles looking confused and frustrated*

Narrator: *Both tenants stop talking, meanwhile the line advances.*

Tenant 1 goes around in circles confused and frustrated.

It's 10am when the clerk walks in. Tenant 1 approaches the window and says:

Tenant 1

Somebody taped this on my door but I don't owe any money. I have all my receipts here to show you.

Court Employee

I'm sorry, but you should not have been in this line. Take this upstairs to Room 230 and do an Order to Show Cause.

Volunteers come up on the stage.

Narrator: *Tenant 1 goes to one person, but they turn their backs. She then walks to the next person, but they turn their back too. She goes up to three more people and receives the same response, she shows a lot of frustration.*

Tenant 1 finally breaks free and says:

Tenant 1: Finally I found someone who helped me and now I have a court date. I will have my day in court ...I will see the judge....I will get justice!!!!

Tenant 1 exits the front of the room.

Narrator: *DAY #2 IN COURT, 11am and tenant has been waiting outside of room 402 to be called.*

A lawyer enters. They approach Tenant 1 in an aggressive manner

Lawyer

I am the **LAWYER** working on your case. My name is Mr. Nasty. It says here you owe your landlord \$6,673.84 cents for three months' rent and other charges. How are you planning to pay it?

Tenant 1

I don't own any rent. I pay my rent every month. Here are my receipts for the past three years for every month. (Tenant 1, show a bunch of papers to the Lawyer) You got to tell the landlord that he's making a mistake.

Lawyer

Look, I don't see any mistake here. The records show you didn't pay rent for May, June, and July last year so you're three months behind. Let me see those receipts you have.

[They checks the receipts]

OK. Look, you're going to have to track these three money order receipts because the landlord doesn't have any record of receiving them. I'm going to give you 45 days to track them and prove you paid.

Tenant 1

So why can't the landlord check...

Lawyer

Because it's you who has to prove you paid your rent!!! Maybe it got lost in the mail or something and somebody else cashed it. If the landlord didn't get it, you have to pay it again. Simple.

Tenant 1

But you're my lawyer ...

Lawyer

NO. NO. NO. I'm not YOUR lawyer. I am the landlord's lawyer. You think you could hire me and pay for these suits I wear? Look, we may have a solution. Just get a one-shot deal. Social Services will pay for it and you don't have to worry about it, just keep paying your rent going forward. I'll write up a stipulation ...

Tenant 1

What's that?

Lawyer

What's that what?

Tenant 1

That stipawhatever you just said.

Lawyer

Stipulation. That's an agreement that you owe the money and are applying to HRA for a one-shot deal to pay it. That will take care of that problem.

Tenant 1

But I don't owe any money....

Lawyer

You want to get evicted? Work with me here! If you don't pay the money you will be evicted. That's what you want?

Tenant 1

EVICTED??!! **EVICTED??!!** I paid the landlord already, so why you talking about evicting me? I want to talk to the judge and hear what he has to say!

Lawyer

Look, lady, I don't have any time for this. I have other cases to settle. You're going to sign or what?

Tenant 1

NO! I'm not signing anything that say I owe money when I don't.

Lawyer

That's your problem. You can take time and prove that you send the money orders, or you can apply for a one shot deal for the back rent. Those are your options right now, to settle the case. I'm going to see the other tenants who really want to stay in their apartments. Wait here until I get back.

***Narrator:** Lawyer walks away proudly. Tenant 1 sits in the chair looking confused, bewildered and terrified. Tenant 1 puts her head in her hands.*

Enter the volunteers to come back in the center and walk by Tenant 1 quickly and talking loudly.

***Narrator:** Lawyer comes back to the front and stand in front of tenant 1 again. The volunteers exit the front of the room and go back to the sides or to their seats.*

Lawyer

Ready to sign the agreement?

Tenant 1 reaches for the stipulation, with her head in her hands and signs it.

Tenant 1

What just happened here!?

Play over! Everyone stands up, gets back in front of the room, holds hands and takes a bow.