

Update

March 2015

Recent Successes . . .

**Home Health Care Workers Win Class Certification**

Represented by MFY Legal Services and Abbey Spanier LLP, a home health care worker formerly employed by First Care of New York, Inc. [won class certification](http://www.mfy.org/wp-content/uploads/First-Care-Class-Cert.pdf) allowing his lawsuit against the agency on behalf of hundreds of home health care workers to proceed. The lawsuit charges that the agency failed to pay him the required wages for his long hours, which regularly entailed working seven days a week, 12 hours a day – as many as 84 hours a week. In its decision, the Court noted the important policy considerations encouraging the use of class actions to keep the home care industry in compliance with the law respecting workers’ wages, observing that underpaying home health care workers “would have the effect of discouraging persons from entering into this important field in which members of the public do count on individuals to help care for their loved ones.” Click [here](http://www.mfy.org/wp-content/uploads/First-Care-Complaint-FILED-1-25-2013.pdf) for additional background.

**One Year, 7 Months and 13 Days . . .**

That’s how long Ms. M, an 80-year-old Manhattan resident had to remain in a nursing home because her landlord had illegally evicted her while she was hospitalized. Shortly after Ms. M’s landlord filed an eviction case against her, Ms. M was gravely injured after a bicyclist hit her. The hospital informed the landlord that Ms. M could not appear in court and that the case should be postponed. Ignoring this notification, the landlord proceeded with the case but did not tell the court that Ms. M was in the hospital fighting for her life. Several months later the nursing home where Ms. M was sent for rehabilitation conducted a home inspection prior to discharging her and found that she had been illegally evicted, her belongings (including her records and IDs) had been sold off, and the apartment was gut-renovated. MFY was retained at that point. The judge restored Ms. M’s tenancy on the condition that she pay rent arrears. Her Social Security retirement benefits were not sufficient to cover the rent and Ms. M was no longer able to work part-time. MFY worked with the nursing home to get her a back rent grant from the city, plus an ongoing rental supplement and money for furnishings through Medicaid. In March, she finally moved back in to the apartment she had lived in for 36 years.

MFY in the News . . .

The New York Post covered the report MFY and ACLU issued on the disparate impact in minority communities of lender abuse and lax enforcement of fair lending laws:  
[***Loan Abuse Within Minority Communities: Report***](http://nypost.com/2015/03/07/loan-abuse-within-minority-communities-report/)

MFY and other legal services providers that help homeowners in Queens objected to the court’s mandatory e-filing requirement, originally announced last year. As a result, the court revised some of its requirements but it remains to be seen if the changes will help pro se litigants. The New York Law Journal reported on it: [***OCA Expands Mandatory E-Filing to Queens Foreclosure Cases***](http://www.newyorklawjournal.com/home/id=1202722343071/OCA-Expands-Mandatory-EFiling-to-Queens-Foreclosure-Cases?mcode=1202617075062&curindex=2)