



**L E G A L
S E R V I C E S**

INCORPORATED

TESTIMONY

ON

**INTRO 289: IN RELATION TO THE PROVISION
OF HOUSING APPLICATIONS IN MULTIPLE
LANGUAGES BY THE DEPARTMENT OF
HOUSING PRESERVATION AND
DEVELOPMENT**

PRESENTED BEFORE:

**THE NEW YORK CITY COUNCIL'S
COMMITTEE ON HOUSING AND BUILDINGS**

PRESENTED BY:

**DONNA CHIU
SENIOR STAFF ATTORNEY
MFY LEGAL SERVICES, INC.**

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MFY LEGAL SERVICES, INC., 299 Broadway, New York, NY 10007
212-417-3700 www.mfy.org

I. Introduction

MFY Legal Services, Inc. envisions a society in which no one is denied justice because he or she cannot afford an attorney. To make this vision a reality, for more than 50 years MFY has provided free legal assistance to residents of New York City on over a wide range of civil legal issues, prioritizing services to vulnerable and under-served populations, while simultaneously working to end the root causes of inequities through impact litigation, law reform and policy advocacy. We provide advice and representation to more than 9,000 New Yorkers each year, including more than 3,600 tenants.

One of MFY's priorities is to ensure that clients who do not speak English or have limited English proficiency receive legal assistance in their native languages. Aside from the more frequently spoken languages such as Spanish and various dialects of Chinese, MFY has provided direct assistance to clients in Tagalog, Russian, Albanian, Haitian-Creole Hindi, and many other languages.

II. MFY's Clients' Experiences

MFY serves hundreds of New York City homeowners and renters every year who are limited-English proficient (LEP). Many of these LEP residents are linguistically isolated, meaning they do not have family or friends who can readily translate English-language materials for them. This makes it especially difficult for them to understand and timely respond to applications, instructions, and critical notices that are not in their own languages. As a result, they do not have the same access to affordable housing opportunities that proficient English-speakers do, and they are more likely to lose housing or housing assistance that they do have.

For example, MFY is frequently contacted by LEP tenants who have received a hearing notice, a Section 8 rental assistance notice or an affordable housing opportunity letter from HPD. They know they can contact MFY and speak with an advocate in their language. For these linguistically-isolated LEP tenants, their contact with MFY is usually the first time they have been able to have the document translated. This causes a significant delay between when they receive the notice and when they are able to act on the content of the notice. In some instances, by the time the clients understand the content of the notice, the deadline for them to respond or to take action has already expired. Thus, LEP tenants often receive less time to act on important notices than otherwise-similar English-speaking tenants.

III. The Department of Housing Preservation and Development and Translation

MFY refers clients to the New York City Department of Housing Preservation and Development (HPD) on a regular basis. MFY may advise its clients to contact HPD to make a complaint about a housing maintenance code violation; request an apartment inspection; check on the status of an apartment maintenance complaint; or apply for or get information about housing lotteries for City-sponsored apartments and affordable homes, Mitchell-Lama apartments, or the Section 8 Housing Choice Voucher Program. Tenants who live in HPD-administered housing or receive Section 8 must use HPD applications to certify their incomes, request reasonable accommodations for disabilities, file grievances, and sometimes request basic services such as repairs or extermination. These applications are critical to tenants' keeping their homes: failure to timely complete income recertification forms in Mitchell-Lama, Section 8, or other subsidized housing can lead to termination of tenancy and homelessness; a tenant who cannot file grievances or request maintenance because of a language barrier may lose her housing because her rent is wrongly calculated or her apartment is not habitable. However, most if not all HPD housing applications sent to the tenants are only in English. Intro 289 will now require HPD to include a notice - written in the mandatory languages - that the forms are available in other languages. This is a step in the right direction.

Tenants also rely on the written information on HPD's website. However, some LEP tenants have experienced difficulty navigating the website to find the forms they need because the website is presented only in English. There is a tab at the top of the page with the English words "translate this page". However, this option is listed only in English, and the link leads to a popup window with instructions and language options again listed only in English. Further, the automatic literal translation, provided by Google, is stilted, awkward and sometimes nonsensical. For example, the Chinese-language Google translation of information about Current Housing Lotteries inappropriately translates the English word "lottery" using the Chinese words meaning "raffle." This is one example of how LEP tenants can be misled by the inaccurate translations.

Of web pages most likely to be used by tenants, only one had information available in multiple languages at the press of a button: "How to Report an Apartment Maintenance Problem." The other sections that MFY clients frequently visit, such as the current list of ownership opportunities and housing lotteries, only use Google translate. The Building, Registration, and Violation database, where tenants can look up Housing Maintenance Code violations and complaints and find their landlords' addresses, is not translated at all.

IV. Recommendations

MFY applauds HPD for its work to promote housing equality, opportunity, and safety. Int. No. 289, calling for the provision of housing applications in multiple languages, is the right step towards ensuring that HPD's services and information are equally accessible to all New Yorkers.

MFY also strongly encourages HPD to improve its online language accessibility by providing translation directions and links labeled in multiple languages, and by providing professional translations of the most important online content rather than relying solely on Google. The SCRIE section of the New York City Department of Finance's website provides an excellent model.

V. Conclusion

MFY looks forward to working with the Council and HPD continue to make its housing applications and related information equally accessible to all New Yorkers. MFY hopes Int. No 289 is only a first step in improving language access at HPD and not the last.

MFY wishes to thank the Committee for this opportunity to testify and for its continuing work to improve the lives of all New Yorkers.