

Testimony of Ms. Wun Kuen Ng  
Client of MFY Legal Services, Inc.  
Testimony before the Chief Judge on Access to Civil Legal Services  
September 29, 2014

My name is Wun Kuen Ng. Thank you for the opportunity to tell you about how the legal assistance I received from MFY Legal Services saved my home and helped me and other tenants preserve our community. I am 42 years old. I live at 83-85 Baxter Street in Manhattan's Chinatown.

I have lived there for more than 15 years. In 2012, my building was bought by a new landlord. That landlord had been buying up rent regulated apartment buildings on the Lower East Side and Chinatown and turning them into market-rate luxury housing, but I didn't know that at the time. At the time, all I knew was that the landlord sent me a notice saying that he would take me to Housing Court for eviction because he claimed I wasn't living in my apartment as my primary residence. The address where the landlord claimed I really lived was in fact my parents' public housing apartment. I had not lived there since 1999.

When I received this notice, I was shocked. I have lived in my apartment since 1999. The prior owner of the building came from the same village in China that my family is from. Most of the tenants came from the same village and treated each other like family. They knew my parents before I moved in. In many ways, we were like a village in a building. To be accused of faking my residence there was absurd – anyone who had ever spoken to anyone in the building or had taken even a few minutes to visit me would have known that I lived there and was part of the community.

I can't afford to hire a lawyer. I do not make much money. I work as a freelance journalist and get a little bit of support from my family. I was very worried about going to court against the landlord, who I knew would have a lawyer. Fortunately, I got in touch with MFY Legal Services, who agreed to represent me in Housing Court. I'm glad I had a lawyer, because the case dragged on for over two years. The landlord demanded discovery, and MFY helped me collect and turn over extensive documentation of my life. Without a lawyer to help me, I would have felt overwhelmed, gave up and moved out. I've since learned that that is exactly what most unrepresented tenants do in this situation, and many landlords count on that.

In my case, after MFY fought back, the landlord discontinued the case and gave me a new rent stabilized lease. And not only did MFY represent me in Housing Court and help save my apartment, they also invited me to come to a meeting of other tenants facing the same problem. When MFY had seen the wave of cases coming from this landlord, they brought together a coalition of community groups whose members were being harassed by the same landlord of many different buildings. We met together to compare our experiences. The coalition is made up of MFY Legal Services, CAAAV Organizing Asian Communities, Asian Americans for Equality (AAFE), Good Ole Lower East Side (GOLES), the Cooper Square Committee, and University Settlement.

We saw that we were all facing the same problems and the same tactics intended to drive us out of our homes. At these meetings, I realized we need the protection of the law, tenant advocacy policies and legal services to protect us against monstrous and predatory landlords who use illegal tactics that are racially and socially discriminating. Meeting other tenants made me feel we have a stronger voice to assert our rights and save our homes and community.

Most of these tenants were Chinese in heritage, like me. Many of them do not speak English. Most of them had lived in Chinatown or the Lower East Side for many years, but were seeing their neighborhoods transformed by gentrification. Most of us stood to lose not only our apartments but our village.

As a coalition, we were able to capture the attention of the New York State Division of Housing and Community Renewal's Tenant Protection Unit (TPU). With the help of MFY and the coalition, I and many of the other tenants met with the TPU and told our stories. On August 20, 2014, the TPU announced that it was investigating the landlord for harassment and had issued a subpoena. The TPU's investigation has just begun, but I and the other tenants are hopeful that it will shine a light on the way the landlord has treated us and tried to drive us out of our long-time homes, and that the landlord will be forced to change.

I am grateful that I was able to connect with MFY Legal Services and that they had the funding and capacity to not only help me with my own eviction case, but also to go beyond my individual case, to bring together other tenants in the same position, and change the way the landlord does business across the board. I have gone from being isolated and scared to knowing that other tenants share my story and stand with me, and that together we will not be moved.

Please continue to expand funding for civil legal services in our state. Thank you once again for the opportunity to testify.