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January 31st, 2023

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LAW SERVICES

Doing what's legally possible to create a just world since 1966.

ADVOCACY TIPS FOR JANUARY

ONE

OTDA ERAP portal CLOSED on January 20th, 2023 due to lack of funds. OTDA (Office of Temporary and Disability Assistance) is currently processing eligible ERAP (Emergency Rental Assistance Program) applications submitted through November 30, 2022. This means that if a tenant submitted an ERAP application through OTDA *before* November 30, 2022, then OTDA will be denying or approving the application soon. Eviction proceedings should be stayed (temporarily stopped) if there is a pending ERAP application until there is a final decision including going through any appeals process. **The Towns of Islip, Hempstead, and Oyster Bay have a separate portal where residents can apply.** See the information below. For the New York State Program, applications from subsidized housing tenants whose rent is limited to a certain percentage of income (e.g. section 8) are not currently able to be paid. State law requires that these applications be paid after all other eligible applicants have been reviewed and paid. Therefore, at this time, none of the subsidized housing applications can be paid regardless of the date their application was submitted. For the Oyster Bay and Hempstead programs, subsidized housing tenants may apply but only to the extent of the tenant's paid portion of the rent and utilities that remain after adjustment by the subsidy provider for changes to household income. If you receive a decision on your ERAP application that you disagree with, make sure to appeal within thirty (30) days by calling 844-691-7368 or filling out the [OTDA online application form](#). To apply and determine eligibility, visit the [OTDA website](#).

Residents of Hempstead

ERAP program is **currently** accepting applications. For more information, visit [Town of Hempstead Emergency Rental Assistance Program \(lihp.org\)](#). Questions? Call 631-435-4710 or email hempstaderap@lihp.org.

Residents of Islip

Applications submitted after December 31st, 2022 will be placed on hold due until further funding is available. Apply through Town of Islip: [Community Development Agency \(islipcd.org\)](https://www.islipcd.org). Questions? Call (631) 647-5683 or email erap@islipcd.org

Residents of Oyster Bay

ERAP Program **is currently** accepting applications. For more information, visit [Town of Oyster Bay Emergency Rental Assistance Program \(lihp.org\)](https://www.lihp.org). Questions? Call (631) 435-4710 or email oysterbayerap@lihp.org.

OTHER RENTAL ASSISTANCE PROGRAMS

Suffolk and Nassau County DSS- The Department of Social Services has programs available to provide help with receiving shelter or rent arrears to prevent homelessness. Please visit <https://otda.ny.gov/workingfamilies/dss.asp> to find the contact information for your local Department of Social Services.

Nassau Suffolk Law Services, in partnership with Empire Justice Center, can now assist Nassau and Suffolk residential tenants with housing-related legal problems (like eviction) and a household income of up to 80% of the Area Median Income. Services are available through this partnership regardless of immigration status. Please call the office closest to you to see if you are eligible for legal services. Interpreters are available. Suffolk residents west of 112 can call 631-232-2400 and east of 112 can call 631-369-1112. Nassau residents can call 516-292-8100. Feel free to share our flyer in both English, Spanish, and Haitian-Creole

TWO**New Tool Helps Family Members Avoid Improper Debt Collections by Nursing**

Facilities: The Consumer Financial Protection Bureau (CFPB) recently issued a resource for family members and caregivers of nursing home residents. Federal law prohibits nursing homes from requiring residents' family or friends from assuming personal financial liability of residents' expenses. Nursing homes often illegally add language to admissions contracts requiring financial liability of a family member prior to admission. The [CFPB Know Your Rights Tool](#) includes language that caregivers should look for in nursing home contracts like holding the caregiver as a "responsible party" or "joint and severally liable." The tool also reaffirms residents' and caregivers' right to refuse to sign a nursing home contract that holds anyone other than the resident personally liable for nursing home costs. It also provides information on getting help with debt collections issues from a long-term care ombudsman, legal aid, state nursing home survey agencies, state attorney general's offices, and the CFPB's complaint process.

Nassau Suffolk Law Services' Consumer Debt Legal Assistance Project provides legal assistance to persons who are experiencing consumer debt problems, especially in matters of credit card and medical debt including nursing home debt. Services may include litigation defense and representation, phone advice, and/or referral for further services, including bankruptcy where appropriate. Residents of Nassau can call 516-292-8100. Suffolk residents can call 631-232-2400

THREE**Improperly held security deposits will be returned by Fairfield Properties after settlement with New York Attorney General's Office.**

New York law requires landlords to provide an itemized list of any deductions on security deposits within 14 days or else a security deposit must be returned in full. If a landlord does not follow the law as described above, a tenant may sue their landlord for the security deposit in [Small Claims Court](#). A tenant may also make a [rent security complaint](#) with the New York Attorney General's office as an alternative to Small Claims Court. For more information on security deposits, please [visit our website](#).

FOUR

The 2022-2023 Emergency benefit opened on January 3, 2023.

If you are eligible, the Emergency HEAP Benefit can help you heat your home if you are in a heat or heat related emergency.

Emergency HEAP benefits and eligibility are based on:

- income,
- available resources, and
- the type of emergency

To learn more and to apply, [please visit OTDA's website.](#)

NSLS' Public Benefits Unit provides legal assistance to persons who experience problems with public benefits programs which are administered by the local Departments of Social Services, including:

- *Welfare (TANF and Safety Net)*
- *Medicaid*
- *Food Stamps (SNAP)*
- *Child Care Assistance*
- *HEAP*
- *Emergency shelter for the homeless*
- *Unemployment insurance appeals and overpayments*
- *Other emergency assistance programs*

We also assist low-income households in establishing Supplemental Needs Trusts to eliminate the Medicaid spend-down and assist homeless families to obtain rent supplements from DSS to enable families to leave the shelters or retain permanent housing. Suffolk residents west of 112 can call 631-232-2400 and east of 112 can call 631-369-1112. Nassau residents can call 516-292-8100.

UPCOMING PRESENTATIONS



LEARN ABOUT LAW SERVICES

This year we invite everyone to meet our staff and learn more about each of our individual units. Please join us for the first series in "Learning About Law Services" on February 16th, 2023 from 1:30 to 2:00 pm where we will highlight and discuss two of our units: the Domestic Violence Unit (Suffolk County) and the Consumer Debt Unit. Learn how to make referrals to each unit, what type of legal cases each unit handles, and the Consumer Debt Unit's new focus on educating on and litigating for solutions to higher education debt. [Please register now to sign up for this first session.](#)

UPCOMING LSCA TRAINING:

National Consumer Protection Week is March 5-11, 2023 this year. Nassau Suffolk Law Services' Consumer Debt Unit will be hosting a "Know Your Rights" for consumer debt and consumer protection basics including new laws pertaining to consumer debt and what to

do if you have been the victim of a scam. [Please register for this Legal Support Center for Advocates training taking place on March 2, 2023 from 1:00pm to 2:00pm.](#)

PREVIOUS LSCA TRAININGS

The **Basics of SSI/SSDI Cessation and Overpayment** LSCA training was held virtually by Supervising Attorney John Batanchiev on December 2nd, 2022. This presentation gave an overview of when the Social Security Administration determines that a client does not qualify for SSDI or SSI resulting in an overpayment to the government. We will discuss basic information about the SSDI and SSI programs, the income and resource limits for each program, what a cessation and overpayment issue is and the ways to resolve it for a client. Please register to [view the training.](#)

The **Family Law Basics for Advocates** LSCA training was held virtually by Supervising Attorney Larry Tuthill, Domestic Violence Unit Staff Attorney Kayla Schunk, and Family Law Unit Staff Attorney Vicki Davies on October 27th, 2022. This presentation gave an overview of the basics of common family law topics including custody, support and orders of protection and where you or your clients can go for more help. Please register to [view the training.](#)

The **Navigating Special Education in New York** LSCA training was held virtually by Danielle Leake, Education and Disability Rights Unit Staff Attorney, on September 8th, 2022. Ms. Leake gave a general overview of both federal and state special education laws, as well as provide a step-by-step guide on how to navigate and secure special education services for students with disabilities in New York State. Please register to [view the training.](#)

[Links to all of our prior trainings can be found on our website.](#)

If your organization is interested in having Nassau Suffolk Law Services present on what services we provide or a specific area of law, please contact the Legal Support Center for Advocates at 631-232-2400 extension 3324 (advocates only).

UPCOMING CLINICS, EVENTS, AND LEGAL HELP RESOURCES

We recently updated our Education Fact Sheets: [Beyond COVID-19 School Closures \(Questions for Families\)](#) or [Beyond COVID-19 School Closures \(Students With Existing IEPs or Section 504 Plans\)](#). Feel free to download and share.

Upcoming Community Legal Help Project dates

Our Community Legal Help Project will be at the Brentwood Public Library every Tuesday and the Middle Country Public Library (**Centereach**) every 1st, 2nd, and 3rd Thursday. Appointments are preferred but walk-ins are welcome. To make an appointment or for other legal issues not listed, please call our hotline at (631) 822-3272.

Our Community Legal Help Project February Flyers are in both English and Spanish and can be found on [our website](#).

The Community Legal Help Project is seeking volunteer attorneys with experience in matrimonial, family, and immigration law to give half-hour consultations during our library hours. If you are interested, please [email us](#) today!

NSLS OPEN POSITIONS

Are you looking to give back to the community while also getting paid? We would love to have you apply for our currently open attorney and paralegal positions. To find out more, go to [our website](#).

VOLUNTEER OPPORTUNITIES



MAKE A
DIFFERENCE
we need you

Matrimonial, Family Law, and Immigration Volunteer Attorneys Needed

TO ASSIST WITH ACCESS TO JUSTICE BY:

GIVING 30 MINUTE CONSULTATIONS TO ASSIST OUR
SUFFOLK COMMUNITY LEGAL HELP PROJECT (ALL AREAS)

AND/OR

PROVIDING FULL REPRESENTATION FOR NASSAU AND
SUFFOLK DOMESTIC VIOLENCE VICTIMS AND LOW-
INCOME RESIDENTS (MATRIMONIAL AND FAMILY)

Contact Sharon Campo at scampo@nsls.legal or
(631) 232-2400 ext. 3368.

A little more about our volunteer needs:

- Volunteer attorneys needed to assist pro bono clients with direct client representation in family, bankruptcy, matrimonial, and elder law
- Provide half-hour legal consultations with our Suffolk County library project in immigration, matrimonial, family, landlord/tenant, elder, consumer, and more
- Law Student / Paralegal/ Pre-law undergraduate internships
- Assist Law Services Staff with intake, case analysis, case referral, and recruitment of volunteer attorneys
- Nassau County Volunteer Landlord/ Tenant Attorney for a Day

GIVE AND MAKE A REAL DIFFERENCE FOR LONGISLANDERS IN NEED

Thank you to all of our 2022 Giving Tuesday supporters! This year we reach out to all of our supporters in hopes that you will continue to support Law Services, the largest

provider of free civil legal assistance to Long Islanders in need. The past few years have shown us when we help, respect, and support each other, together we can accomplish anything, and our Long Island communities will once again thrive. For many Long Islanders, having a stable income, permanent housing, access to healthcare, and, most importantly, access to equal justice under law, gives them the support they need to begin to rebuild their lives. Your continued support can really make a difference to your neighbors in need by assisting Nassau Suffolk Law Services in “Doing What’s Legally Possible to Create a Just World.” We are Long Islanders helping Long Islanders.

Support Law Services Programs

NASSAU SUFFOLK LAW SERVICES
631 232-2400 | 516 292-8100 | 631 369-1112
www.nslawservices.org

Was this email forwarded to you? Stay up to date all year round by [signing up for our Legal Lessons.](#)

