

January 14th, 2026



Where Dignity Meets Justice

## JANUARY ADVOCACY TIPS

### 1 Updated Exempt Amounts for Wage Garnishments and Frozen Bank Accounts

With the increase in the minimum wage on Long Island to \$17 per hour comes **increased protections for persons with judgments** held against them. If a person has a judgment against them (Judgment Debtor), the Plaintiff who holds the judgment (or Judgment Creditor) can come after their wages or assets.

- If the Judgment Debtor is earning **less than \$510 per week** after taxes, their wages cannot be garnished by a Judgment Creditor. If they earn **more than \$510 per week**, then their income can be garnished at either a maximum of 10% of their income before taxes (gross) or a maximum 25% of their disposable income (net).
- If the Judgment Debtor has **less than \$4080** in their bank account, then their bank account cannot be frozen or restrained by a Judgment Creditor. If the amount in their bank account is **more than \$4080**, then the amount over \$4080 can be restrained with some exceptions.

As of November 23, 2022, Judgment Creditors who hold a judgment for medical debt cannot garnish the wages of a Judgment Debtor or place a lien on a judgment debtor's primary residence. Additionally, there are many types of protected incomes, including disability and retirement income. If you or a client is facing a wage garnishment or frozen bank account, please contact our Consumer Debt Legal Assistance Project.

*LSLI's Consumer Debt Legal Assistance Project provides legal assistance to persons who are being sued on consumer debt matters, especially with medical and credit card debt. Services may include litigation defense and representation, phone advice, and/or referral for further services, including bankruptcy, where appropriate. Nassau residents can call 516-292-8100, and Suffolk residents can call 631-232-2400.*

Emergency HEAP Benefit Opened January 2, 2026

The Home Energy Assistance Program (HEAP) helps low-income people pay the cost of heating their homes. The 2025-2026 Emergency HEAP benefit opened January 2, 2026.

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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

For more information, please visit the [Office of Temporary and Disability Assistance \(OTDA\) website](#).

*The Public Benefits Unit provides legal assistance to persons who experience problems with public benefits programs that 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 in obtaining rent supplements from DSS to enable families to leave the shelters or retain permanent housing. Nassau residents can call 516-292-8100, and Suffolk residents can call 631-232-2400.*

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## Housing Insecurity Prevention Assistance Programs Open

**\*Updated\*** **Suffolk County's** Tenant-Based Rental Assistance Program is **currently at capacity**, and no new applications are being reviewed at this time. The Program will supplement rental housing costs for families of low-to-moderate income for up to 24 months (based on funding availability and lease dates). Please note this is not for rental arrears but for a security deposit or rental assistance going forward. [Please visit Suffolk County's website for program guidelines and to download a copy of the application.](#)

**Town of Brookhaven** Home ARP Rental Arrears Assistance Program opened on October 1, 2025. This program provides assistance for eligible residents on a first-come, first-served basis until all funds are exhausted. For more information and to apply, [please visit Long Island Housing Partnership's website](#).

**Town of Babylon's** Tenant-Based Rental Assistance Program opened on December 18th, 2023. This program is for extremely low-income households who are in rental arrears to help residents regain housing stability and prevent homelessness. For more information and to apply, [please visit Long Island Housing Partnership's website](#).

*Legal Services of Long Island, 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.*



On December 11, 2025, Governor Hochul signed Legislation A2687/S5569, which establishes the Center for Dyslexia and Dysgraphia within the State

Education Department to improve how schools identify and support students with these reading and writing difficulties. The Center will create a statewide approach for collecting and sharing best practices, set standards

for universal screening in K-5th grade and for new entrants, and establish evidence-based interventions and teacher training. It will also develop a guidebook within two years, updated

at least every five years, covering legal responsibilities, screening practices, instructions, approaches grounded in the science of reading, and effective Individual Education Program development and accommodations. To learn more, please see the [press release issued by](#)

Governor Hochul's office.

*LSLI's Education and Disability Rights Project (EDRP) is a bi-county project that represents students with disabilities between the ages of 3-21 in Special Education matters, including attendance at Committee on Special Education (CSE) meetings, Resolution Sessions and Impartial Hearings. In addition, the EDRP assists students in issues pertaining to residency and homelessness and helps adults with developmental disabilities to secure eligibility and services through the Office of People with Developmental Disabilities (OPWDD). Nassau residents can call 516-292-8100, and Suffolk residents can call 631-232-2400.*

# **N**ew York Address Confidentiality Program

Did you know that New York has an Address Confidentiality Program? The [New York State Address Confidentiality Program](#) is a cost-free program that allows victims of domestic violence, human trafficking, kidnapping, or stalking to shield their address. Participants are assigned a substitute address, which they will use for receipt of all first-class, registered and certified mail. For more information, call **1-855-350-4595** or visit the program's [website](#).

## Download Our Fact Sheets

## Know Your Rights Tenant fact sheets in English, Spanish, and Creole.



**LEGALSERVICES**

# Know your rights:

## Tenants

Legal Services of Long Island (LSLI) is committed to helping people in need assert and secure their rights under the law. Established in 1966, LSLI was one of the first Legal Services Corporation programs in New York State. We provide free legal services to low-income individuals and families in Suffolk and Nassau counties to community advocates to ensure that people with low incomes and disabilities have equal access to the civil justice system on Long Island.

**Types of Landlord/Tenant Cases**

- **Non-Payment:** This type of case is initiated by a landlord to collect unpaid rent.
- **Holdover:** This case is seen when a tenant remains in the property after the expiration of a lease.
- **Post Foreclosure Holdover:** This refers to a situation in which a tenant remains in a property after it has been foreclosed upon and transferred to a new owner.

**Notices you may Receive Before a Case is Scheduled for Court**

In most cases, a landlord will send the tenant a notice to leave before taking the tenant to court. The first notice is a **30 day rent notice**, if the tenant does not leave within the first 30 days, the landlord can file a **summary judgment**, after which the court can issue a **notice of petition** to the tenant. The hearing process is different as it depends on how long a tenant has lived in the house. If a tenant has lived in the house for less than 1 year, the notice of petition is given 30 days after the notice of lease. If a tenant has lived in the house for 1 year or more, the notice of petition is given 30 days after the notice of lease. If a tenant has lived in the house 2 or more years OR leased for 2 years or more, the notice of petition is given 60 days after the notice of lease. If a tenant remains in the property after the end of the notice period, the notice of petition is served.

**Documents to Bring to Court**

- **Notice of Petition/ Petition**
- **Receipts of Rent Paid**
- **Pictures of Habitability issues**
- **Lease**

[www.lgalserv.org](http://www.lgalserv.org)  
 [www.instagram.com/lgalservical](http://www.instagram.com/lgalservical)  
 [www.facebook.com/lgalservical](http://www.facebook.com/lgalservical)


The information contained in this material is not legal advice. Legal advice depends upon the specific facts of each situation. This material is intended to provide general information about your rights as a tenant. It is not intended to be a substitute for legal advice. Finally, this information is not guaranteed to be up to date. The material contained on this site cannot replace the advice of competent legal counsel for your particular situation.

## Fact Sheets on Illegal Evictions in Suffolk County in English, Spanish, and Creole

# Wage and Hour Information

## Definitions

**Waiver:** to waive is to voluntarily relinquish or give up a right, claim, or privilege.

**Credit:** the right granted by a creditor to an applicant to defer payment of a debt, incur debt and defer its payment, or purchase property or services and defer payment.

**Deductions:** A deduction is an expense that can be subtracted from a taxpayer's gross income in order to reduce the amount of income that is subject to taxation. This lowers the taxpayer's taxable income for the year.

**Employee:** any individual employed by an employer.

**Employer:** To suffer or permit to work.

## Brief Overview

- Employee rights are found throughout federal, state, and local laws. This fact sheet will only cover basic New York State Wage and Hour Violations. For more information on employee rights feel free to visit the U.S. Department of Labor *Wage and Hour section*.
- These rights are covered by many different government agencies at many different levels. This fact sheet will discuss how to specifically request the help of the New York State Department of Labor.

## Who qualifies for these rights?

- These rights specifically cover employees, not independent contractors. While some of these rights may be open to independent contractors, many will not be applicable.

1. <https://www.dol.gov/agencies/whd/workers>

Wage and Hour Information

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<https://www.legalservicesll.org>

## Wage and Hour Fact Sheet

**Quick Consumer Debt Resource Guide**  
updated 5/13/2025

**Court Actions**

- [www.nycourts.gov/courtselfhelp/](http://www.nycourts.gov/courtselfhelp/) Pro Se Help
- Legal Services Ask a Law Librarian: <https://askalawlibrarian.nycounts.gov/> OR via phone 518-282-0795; Supreme Court Central Islip 631-740-3965; Supreme Court Riverhead 631-740-3965
- Legal Hand 631-636-7096
- Vacate Judgment Program: <http://www.nycounts.gov/courtselfhelp/dly/consumerdebt.shtml>
- <http://www.nycounts.gov/>
- [www.nyselfhelpanswers.org](http://www.nyselfhelpanswers.org)

**Credit Reports**

- Free yearly credit report: [www.annualcreditreport.com/](http://www.annualcreditreport.com/); (877) 322-8228

**Debt Collection/Consumer Complaints**

- NYS Attorney General (car dealers, lawn care, etc.) <http://www.agg.state.ny.us/>; (800) 777-7755
- Federal Trade Commission (scam phone calls, etc.): <https://reportfraud.ftc.gov/>; 877-382-4357
- Consumer Financial Protection Bureau: <http://www.consumerfinance.gov/complaint/>; (855) 431-2372
- NY Consumer Protection Dept (800) 697-1220; [www.dos.ny.gov/consumerprotection/](http://www.dos.ny.gov/consumerprotection/)
- Nassau Dept. of Consumer Affairs 561-571-2600; Suffolk Dept. of Consumer Affairs: (631) 853-4600

**Financial Counseling**

- Community Development Long Island Financial Counseling Workshops; <https://www.cdlil.org/financial-coaching-resources>
- Community Housing Innovations: <https://www.communityhousing.org/services/financial-literacy/>

## Quick Consumer Resource Guide



**LEGAL SERVICES  
OF LONG ISLAND**

# Know Your Rights: Fair Hearing Guide

updated 6/10/2025

## When to Request a Fair Hearing

To challenge the reduction, discontinuation, restriction, suspension or denial of a benefit such as:

- Failure to send a notice or error in the notice
- Removal of a person from a budget, or the Department of Social Service (DSS) failing to add a person to the budget
- Case closing for failure to recently
- Sanctioning a person
- Inappropriate charge of overpayment or recoupment
- Incorrect budgeting of income

## How to Request a Fair Hearing

- Online: <https://otda.ny.gov/hearings/request/> 
- Mail:  
New York State Office of Temporary and Disability Assistance,  
P.O. Box 1930  
Albany, NY 12201-1930
- Fax: (518) 473-6735
- Phone: (1 800) 342-3334

## Timeline to Request

- Must be requested within 60 days of notice of agency action on a particular issue or change in rule.
- Must be requested within 90 days for Windy Pool Challenges
- If individual wants aid to continue, within 10 days of the notice or before the effective date of the notice

Regulations: 18 NYRR § 358.3-5(b), 18 NYRR § 358.5(d); SSL § 22(4)(b)

## When Can Expedited Fair Hearings Be Requested

- When Rent is owed and one faces eviction
- For Emergency food stamps
- For utility grant to prevent shut off
- For Emergency housing issues

The request to expedite (speed up) the hearing must be made at the time the hearing request is submitted so that it can be scheduled quickly

## Fair Hearing Guide



**LEGAL SERVICES**  
OF LONG ISLAND

# Homelessness and Reasonable Accommodations

## First Steps for Assisting Homeless Clients

### Eligibility for Emergency Housing

To qualify for emergency housing through DSS, a person must meet certain criteria.

#### 1. No Available Housing Resources

The individual must have no alternative housing options. "Available housing resources" include:

- Housing that could be used as a shelter
- Remaining funds for rent
- Remaining time to pay rent while they still have the right to stay (for example, an eviction notice where the client has already vacated)

If a client claims they have "available resources" but Social Security payments, for example, the client still needs to use those bank statements or receipts to prove that funds have been spent toward rent. If a client says they have available resources but has no bank statements, then a client is not eligible.

If a client is held over by a former eviction decision, clients are asked to review why it is no longer available. Eviction rules include:

- Housing must be habitable
- Eviction notices must be provided
- Landlords cannot discriminate
- Landlords cannot discriminate

#### 2. Residency Requirements

The client must be a resident of the county where they are applying, or otherwise fall under that county's 205(w) rules. This can sometimes be controlled by "earmark" of funds.

- A client can be a resident of one county, but have funds earmarked for another county.
- The client may be temporarily residing in another County, but was known to have lived in that county.
- The client applies for housing in County B.

In the case of a client who is not a resident of the county where the client is back or goes to County A, however, if the client currently has no housing, reasonable programs may allow the client to have an open case in their current county, while the client is back in County A.

**HOMELESSNESS AND REASONABLE  
ACCOMMODATIONS**

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<https://www.legalservicesli.org>

Legal Support Center for Advocates' Trainings

**Did you miss our past LSCA presentations?  
Check them out today!**

On October 23rd, 2025, the Legal Support Center for Advocates and the Education Debt Consumer Assistance Program (EDCAP) presented **“Student Loans- The Changing Landscape: What Borrowers Need to Know.”** We discussed the big changes coming to the

federal student loan system—and how they'll impact every borrower. From the end of the SAVE Plan to new borrowing limits, repayment structures, and forgiveness options, the rules are shifting fast. [View the recording on our YouTube Channel](#). [Slides are available on our website](#).

On June 25th, 2025, the Legal Support Center for Advocates and the Education Debt Consumer Assistance Program (EDCAP) presented "**Big Changes, Big Decisions: Navigating Student Loans in Uncertain Times.**" We gave important updates on student loans and an overview of repayment options, a review of forgiveness programs (including Public Service Loan Forgiveness (PSLF)), and tips for managing delinquent and defaulted debt. [View the recording on our YouTube Channel](#). [Slides are available on our website](#).

On April 24th, 2025, the Legal Support Center for Advocates and the Education Consumer Assistance Program (EDCAP) presented "**Weathering the Storm: Managing Student Loans in Uncertain Times.**" We covered student loan repayment options and forgiveness, discharge programs, and updated you on the latest developments affecting the federal student loan system. [View the recording on our YouTube Channel](#). [Slides are available on our website](#).

The Legal Support Center for Advocates presented "**Introduction to ICAN and Community-Based Managed Long-Term Care**" on Wednesday, April 9th, 2025. Staff Attorney Amanda Davis discussed the introduction to home and community-based long-term care provided by Medicaid that helps elderly and disabled Long Island residents receive home care and other services in their homes, as well as an introduction to the Independent Consumer Advocacy Network (ICAN) and how they can help. [Slides are available on our website](#). [View the recording on our YouTube Channel](#).

On March 28th, 2025, the Legal Support Center for Advocates and LSLI Supervising Attorney Sarah Kupferberg presented "**The Basics of Applying for SSI for Children.**" We reviewed the basics of applying for supplemental security income (SSI) for children, including eligibility guidelines, the application process, and how to appeal. [Slides are available on our website](#). [View the recording on our YouTube Channel](#).

On March 21st, 2025, the Legal Support Center for Advocates presented "**New York State Wage and Hour Basics.**" Supervising Attorney John Batanchiev and Law Graduate Jacob Mortenson reviewed common wage and hour violations for low-income New Yorkers and the steps they can take to protect their rights. [Slides are available on our website](#). [View the recording on our YouTube Channel](#).

On January 22nd, 2025, the Legal Support Center for Advocates and the Education Debt Consumer Assistance Program presented "**Latest Student Loan Updates.**" The presentation provided an overview of student loan repayment options, forgiveness and discharge programs, and updates on the latest developments affecting the federal student loan system. [Slides are available on our website](#). [View the recording on our YouTube Channel](#).

On January 17th, 2025, the Legal Support Center for Advocates presented "**Rental Arrear Assistance Programs on Long Island.**" Supervising Attorney John Batanchiev and Law Graduate Jacob Mortenson reviewed rental arrear assistance programs on Long Island, from DSS to non-profit agencies: how to apply, eligibility guidelines, and how to challenge a denial. [Slides are available on our website](#). [View the recording on our YouTube Channel](#).

On December 6th, 2024, the Legal Support Center for Advocates presented "**Emergency Housing Assistance on Long Island.**" We spoke about the Department of Social Services' services and procedures, as well as resources, when assisting a client in need of emergency housing assistance. [Slides are available on our website](#). [View the recording on our YouTube Channel](#).

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

Did you miss any of our **Programs of Legal Services of Long Island** Presentations? Feel free to watch them on [our YouTube Channel!](#)

## 2024 Annual Report

We are pleased to share our [2024 Annual Report](#), which summarizes the achievements and progress of Legal Services of Long Island over the last fiscal year.

Your support benefited **13,648** Long Islanders by providing access to the legal help they needed to resolve issues threatening their housing, financial stability, health and safety, or limiting their access to opportunities to enrich their lives and communities.

Thank you for your continued support and thank you to all of our staff who assisted in editing and contributing to the 2024 Annual Report. We hope you enjoy reading our [2024 Annual Report](#) and feel free to share it with your family, friends, and fellow Long Islanders



## Upcoming Happenings



**DO YOU NEED  
HELP WITH A  
LEGAL PROBLEM?**

Upcoming **Community Legal Help Project** locations, dates, and times for Nassau and Suffolk County [can be found on our website](#). CLHP will be at the Riverhead Library every 4th Wednesday of the month starting January 2025!

## Pro Bono Attorneys Needed

## Nassau County

### Volunteer Lawyers Project

In partnership with the Nassau County Bar Association, the Volunteer Lawyers Project is an innovative pro bono program to expand the availability of legal services to Nassau County residents in need. The Project provides opportunities for attorneys to represent clients and volunteer their time and expertise by providing free legal services. The Volunteer Lawyers Project needs pro bono assistance in the areas of Chapter 7 Bankruptcy, Divorce, Article 17A Guardianships, Health Care Proxies, Name Changes, Power of Attorney, and Wills.

Contact: Reisa Brafman, Esq., [516-292-8100](tel:516-292-8100) ext. 3380, [rbrarfman@legalservicesli.org](mailto:rbrarfman@legalservicesli.org)

### Bankruptcy Clinics through the Volunteer Lawyers Project

Currently, clinic appointments are one-on-one with attorneys consulting with clients in person, by phone, or virtually. Volunteer attorneys guide those considering bankruptcy, screening for referral to pro bono attorneys for filing of Chapter 7 petitions. This is a limited engagement, though participating attorneys may also be referred cases.

Contact: Reisa Brafman, Esq., [516-292-8100](tel:516-292-8100) ext. 3380, [rbrarfman@legalservicesli.org](mailto:rbrarfman@legalservicesli.org)

### Community Legal Help Project

The Community Legal Help Project recently expanded into Nassau County. We are looking for attorneys to provide pro bono half-hour consultations with Nassau County Residents. The areas of law most in need are immigration, family, matrimonial, elder, and bankruptcy.

Contact: Roberta Scoll, Esq., [516-292-8100](tel:516-292-8100) ext. 3115, [rscoll@legalservicesli.org](mailto:rscoll@legalservicesli.org)

## Suffolk County

### Pro Bono Project

In partnership with the Suffolk County Bar Association, the Pro Bono Project is an innovative pro bono program that expands the availability of legal services to Suffolk County residents in need. The Project provides opportunities for attorneys to represent clients and volunteer their time and expertise by providing free legal services. The Pro Bono Project needs pro bono assistance in the areas of Chapter 7 Bankruptcy, Divorce, Article 17A Guardianships, Foreclosure, Health Care Proxies, Power of Attorneys, and Wills.

Contact: Kiersten Bartolotta, Esq., [631-232-2400](tel:631-232-2400) ext. 3311, [kbartolotta@legalservicesli.org](mailto:kbartolotta@legalservicesli.org)

### **The Suffolk County Pro Bono Project is now on Paladin! Please take a look at our current volunteer attorney opportunities and connect with us!**

### Community Legal Help Project

The Community Legal Help Project (CLHP) is a partnership of legal providers created by the NYS Permanent Commission on Access to Justice and the Suffolk County Access to Justice Committee. The CLHP's network of non-profit partners and pro bono volunteers currently provides legal information and referrals, and limited-scope representation through a phone line and brief in-person consultations at public libraries. Attorneys with a background in immigration, family, elder and/or matrimonial law are needed to assist the community.

Volunteer attorneys can dedicate their time monthly, bi-monthly, quarterly, or at their leisure.

Contact: Rashika Hettiarachchi, Esq., [631-232-2400](tel:631-232-2400) ext. 3391, [rhettiarachchi@legalservicesli.org](mailto:rhettiarachchi@legalservicesli.org)



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Legal Services of Long Island is a 501(c)(3) and your donation is 100% tax-deductible. Join us in our mission to provide free, quality civil legal representation to Long Island's neediest residents.

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