

August 26, 2010

Mr. Dan Ruben

Executive Director, Equal Justice America

13540 East Boundary Road, Building II, Suite 204

Midlothian, VA 23112

Dear Mr. Ruben,

I am a third-year student at Harvard Law School and recently completed my summer internship with the Greater Boston Legal Service's Housing Unit. My internship was made possible in part by the Legal Services Fellowship I received from Equal Justice America. I would like to thank you for awarding me this fellowship and would like to thank your donors for making these fellowships possible. The fellowship not only allowed me to help preserve the housing of low-income tenants in greater Boston but also helped me gain the experience and expertise I need to continue my career in public interest law.

At GBLS, I worked with senior staff attorneys Stefanie Balandis and Dick Bauer on the Quincy District Court Civil Gideon Project. The Civil Gideon Project is part of an effort by Professor James Greiner at Harvard Law School to measure the effects of full legal services representation on the outcomes of cases. Each week, we provided assistance to pro se tenants in the Quincy District Court and selected cases for full legal representation. We submitted the cases in which we wanted to provide full representation to Professor Greiner, who randomly divided the cases in half. We provided full representation to one half and no representation to the other group. Later, Professor Greiner measured the outcomes of our cases against those where the tenants remained unrepresented.

With the supervision of Attorney Balandis and Bauer, I took primary responsibility for five of the cases selected for full representation. Under Massachusetts Supreme Judicial Rule 3:03 I was able to appear on behalf of these clients in Quincy District Court. In addition to my work on these cases, I also interviewed clients, helped pro se tenants complete answer and discovery forms, and conducted research and drafted documents for my supervising attorneys' cases.

My most complex and rewarding case involved a Section 8 tenant who lived with her seven children in a suburban single family home. Despite paying her portion of the rent on time every month, her landlord brought an eviction action against her and her family. The landlords fell behind on their mortgage payments on the property and were attempting to complete a short sale to avoid foreclosure. They attempted to hastily evict my client because the potential buyer requested that the home be vacant at the time of sale.

Just a week after taking the case, I won a motion to dismiss the landlords' claim for possession

based on an inadequate notice to quit. Despite preserving the client's tenancy, my advocacy was far from over. The client received a water shut off notice from the town because the landlords had not paid the water bill in over a year. I explained the situation to the town and received their assurance that the water would not be shut off. I also encouraged the town to adopt a policy, similar to the City of Boston's, of not shutting off water to tenants where the landlord does not live in the home.

I learned that the Housing Authority administering my client's subsidy had stopped its payments to the landlords because of extensive water damage and mold growth caused by flooding. If the Authority did not resume subsidy payments within six months, my client could lose her valuable Section 8 subsidy. I worked with the Housing Authority and the landlords to ensure that repairs were made such that the subsidy could be reinstated. The landlords removed a broken garbage disposal, replaced water logged wood paneling in the basement, replaced smoke and carbon monoxide detectors throughout the house, and killed the mold growing in the basement. These repairs not only helped my client retain her subsidy but also made the home healthier and safer for her family.

Finally, my client mentioned that the flood had damaged some of her belongings and her washer and dryer. With her washer and dryer broken, my client spent almost a whole day each week and \$80 a month doing her families laundry at a Laundromat she had to travel to by bus. While researching charities that might have funds to repair or replace her washer and dryer I realized that the family was likely eligible for disaster assistance from FEMA because the President declared their county a disaster area as a result of the spring flooding. I filled out an online for assistance for the family and an inspector visited their home. As a result, FEMA awarded my client over \$6,000 in compensation for the damages to their belongings and rental assistance.

I also pursued my clients counterclaims for interference with quiet enjoyment, breach of the warranty of habitability, retaliation, and violation of the security deposit law against the landlords. While my internship ended before these claims were settled or litigated, I am confident that my client will receive at least some compensation from her landlords. In addition to the water damage and mold growth, the family was without heat and hot water for over a week as a result of the flooding.

The Legal Services Fellowship allowed me to assist this client and many others. It allowed me to spend several additional weeks at GBLS and helped me cover the costs of weekly trips to Quincy District Court and visits to my clients homes. I cannot thank you enough for awarding me this fellowship.

Sincerely,

Libby Benton  
Harvard Law School, 2011