

News



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Miami Attorneys Address Landlord/Tenant Issues in Equal Justice Clinic

Pictured left to right, TerryAnn Howell, Melissa Gomberg, Klugy Mathurin, Ben Mitrani, Nina Gordon, Victoria Moreno Pabon, George Mahfood, and Mark Raymond

Landlord/tenant issues are being called the new legal epidemic in the country, and estimates are that more than 95% of tenants do not have representation. They are being forced out of their homes or living in deplorable conditions, creating a spike in homelessness and despair for misplaced families in every community. Attorneys, including those in many Nelson Mullins offices, are stepping up to provide low-income tenants access to justice so that they learn their rights and how to advocate for themselves.

Ms. K is one such tenant in need of representation. She came to the Legal Services of Greater Miami's Tenants' Equal Justice Clinic seeking help and met Miami associate TerryAnn Howell and some summer associates. She cried as she told Howell how she was a registered nurse in Haiti, but when she moved here she could not go to school to get her license because she had to work to take care of her children who migrated with her. She told of how her landlord kicked her out: Ms. K and her landlord had a previous case before the court, and both parties agreed that Ms. K would move out at a later date. However, the landlord removed Ms. K from the apartment prior to the month they agreed for her to leave and before Ms. K could find another place to live. Not only did the landlord refuse to give Ms. K her full deposit back, the landlord continued to accept subsidies after Ms. K left the apartment, all of which Ms. K reported to the Housing Authority.

She said she migrated to the U.S. to try to get a better life, but instead life was getting the better of her.

“Her story hit home for me as my mother went through the same when she moved from Jamaica,” Howell said. “Homeless in New York City, my mother slept on trains in between jobs all year round, but she could not give up because she had us to take care of back in Jamaica.”

The Tenants’ Equal Justice Clinic is designed for volunteer attorneys to give free legal advice to low-income individuals whose landlord has not returned a security deposit or clients who are living in unsuitable, unsafe, or unhealthy living conditions. Attorneys assist with initiating pro se Small Claims Court cases or drafting letters to assist the client in curing legal issues that impede stable housing or habitability. Types of cases typically involve security deposits, prohibited practices, and poor living conditions.

Nelson Mullins attorneys adopted a Miami clinic in May. Howell has worked the clinics previously, and the group plans to participate in additional clinics. Those participating in May were Miami Managing Partner Mark Raymond, George Mahfood, Nina Gordon, Amy Steele Donner, Valentin Arenas, Melissa Gomberg, Klugy Mathurin, Victoria Moreno Pabon, and Ben Mitrani.

The attorneys at the Miami clinic wrote a letter for Ms. K objecting to the landlord keeping part of her deposit. They also assisted her with completing the small claims forms to be filed in court in the event that the landlord refuses to give her the full amount. They explained the process of delivering the objection to the landlord, the time requirements/deadline for the landlord’s response, and the small claims court process. After thanking and hugging Howell and the attorneys numerous times, Ms. K expressed her thankfulness for help.

“I was overwhelmed with joy and even cried when I went home, after hearing everyone say how rewarding the clinic was and how we should do it again. These clients have a special place in my heart, because at some point myself and my family were the type of clients that are helped by these clinics,” Howell said.

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