



PISGAH LEGAL SERVICES

Pursuing Justice, Restoring Hope, Changing Lives

Quarterly Newsletter

Third Quarter 2006 Edition

PLS Prevents Homelessness and Tackles the Affordable Housing Crisis in Local Communities

More than 35% of Pisgah Legal Services clients come to us with a housing problem. Finding and keeping decent, affordable housing is one of the greatest challenges facing low- and moderate-income households in PLS' service area.

Addressing the affordable housing crisis in local communities is one of PLS' top priorities. PLS attorneys provide legal advice and representation to help families and individuals avoid homelessness. We help our clients:

- * Prevent or delay eviction or foreclosure;
- * Improve substandard housing conditions;
- * Obtain or preserve federal housing subsidies;
- * Preserve water, heat and electricity in their homes.

PLS attorneys also provide legal expertise and leadership to collaborative efforts to improve housing conditions and increase the supply of affordable housing in local communities.

PLS Helps Secure Funds for Home Repairs in Madison County

As a member of the Community Housing Coalition of Madison County, PLS Senior Attorney and Madison County native Robin Merrell helped secure \$73,000 in federal HOME funds to repair eight homes for low-income individuals and families. The HOME funds



The Community Housing Coalition of Madison County is helping Cynthia Wessinger finish the house she is building so that she can move out of a run-down mobile home that does not accommodate her wheelchair. PLS' Housing Attorney Robin Merrell is an active Coalition member and helped make this possible.

leveraged an additional \$250,000 in donations and volunteer labor to make significant improvements to these homes.

Through this project, a Madison County woman in her 90's now has running water in her home for the first time in thirty years. The funds also helped the Emersons, a family with three children, including a child who was badly burned as an infant and lost her legs as a result. The family did not have a shower that would accommodate the disabled child's wheelchair. Now they do.

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Pisgah Legal Services Helps Low-Income People Meet Basic Needs and Improve their Lives

- **Children's Law Project:** Helps disadvantaged children avoid abuse and meet basic needs.
- **Disability Assistance Project:** Helps individuals with disabilities access health care and secure subsistence income.
- **Elder Law Project:** Helps low-income seniors remain independent, avoid abuse and do end-of-life planning.
- **Health Education & Legal Support Project (HEALS):** Connects Mission & MAHEC patients with legal services.
- **Homelessness Prevention Project:** Helps clients avoid homelessness and secure decent, affordable housing.
- **Justice For All Project:** Helps low-income immigrants increase self-sufficiency.
- **Mountain Violence Prevention Project:** Helps families escape domestic violence and rebuild their lives.

PLS Tackles Affordable Housing Crisis and Homelessness

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PLS Helps to Develop a Minimum Housing Code in Henderson County

The Henderson County Affordable Housing Coalition has been working for several years to implement a minimum housing code ordinance in the county. This ordinance would address basic life safety issues, such as plumbing, electrical, heating and smoke detectors. The proposed housing code would be complaint-driven, meaning that the county will only investigate housing conditions when a complaint is filed. The proposed code has more “teeth” for enforcement than some other housing codes in the area, explains PLS attorney Robin Merrell. The ordinance carries criminal as well as civil penalties for serious violations. The county has asked PLS attorneys to review the code and Henderson County Commissioners hope to adopt it by the end of this year.

Progress Made on Asheville-Buncombe’s Ten-Year Plan to End Homelessness

On October 5, the first progress report on the Ten-Year Plan to End Homelessness, which Robin Merrell authored with community partners in 2004, was released. Numerous community agencies are collaborating to implement the plan, with the Affordable Housing Coalition of Asheville-Buncombe as the lead agency. The progress report noted a significant reduction in the number of chronically homeless individuals (adults with disabling conditions who have been homeless for a year or longer or had



PLS Attorney Robin Merrell (center) with community leaders and housing advocates at a press conference to report progress on the Ten-Year Plan to End Homelessness in Asheville-Buncombe County. Working together, local agencies have reduced chronic homelessness.

four episodes of homelessness in three years) — from 169 in 2005 to 134 this year. This reduction is due, in part, to the “Housing First” strategy outlined in the plan; “housing first” calls for immediate placement of chronically homeless in safe, permanent housing, followed by assistance to tackle other issues, such as health problems or addiction. PLS added an additional housing attorney to its staff to help the community fulfill its plan to reduce homelessness. To find out how to get involved in efforts to end homelessness in Asheville and Buncombe County go to www.abchomeless.org.

PLS Consumer Law Expert Prevents Foreclosure

Legal Assistance Helps Families and Senior Citizens Cope with Financial Crisis and Gain Peace of Mind

PLS is part of a statewide Fair Lending and Home Defense Project aimed at preserving home ownership and home equity and promoting financial stability of low-income working families and the elderly. Between January 2004 and June 2006, PLS Senior Attorney Bill Whalen used his consumer law expertise to help 376 low-income people address financial crises. Bill’s efforts **saved 136 homes** and provided more than **\$1.2 million in monetary relief to low-income families and senior citizens**. This work is critical as home foreclosure

rates skyrocket across North Carolina, partly due to increases in adjustable-rate mortgage (ARM) interest rates and predatory lending.

Bill’s clients come to PLS overwhelmed and desperate for help in the midst of financial crises caused by medical problems, loss of employment and other situations. With Bill’s legal assistance, they gain an understanding of their options and hope that they can recover their financial footing and preserve their housing.

This work is funded in part by the Z. Smith Reynolds Foundation.



THANK YOU TO OUR DONORS & VOLUNTEERS



Special thanks to **Denny Martin**, golf tournament chair (right), and planning committee members **Kenny Hunt** (left) and **Andrew Parker** (not pictured). Attorney **Lach Zemp** (center) is a member of PLS' Board of Directors.

Young Lawyers Division of Buncombe County Bar Raises Funds for PLS

\$4,700 Raised to Help Disadvantaged Children

The Young Lawyers Division of the Buncombe Bar hosted the 2nd Annual Children's Law Project Golf Tournament this fall. PLS will use the funds raised to help disadvantaged children avoid homelessness, escape abuse and neglect, secure health care and other critical services. THANK YOU to tournament organizers and participants and to event sponsors, including:

**Mission Children's Hospital
Roberts & Stevens, P.A.
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McGuire, Wood & Bissette, P.A.

Bill Wolcott - Attorney/DRC Superior Court Mediator

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Robert Deutsch, P.A.

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Jay Kerr, P.A.

William F. Slawter, PLLC

Paradox Pottery

Stone & Christy, P.A.

Many Thanks to the Fantastic Mills Manufacturing

**Volunteers
who gave PLS'
Gudger House a much-
needed facelift on
United Way's
Day of Caring in
Buncombe County**



Special Appreciation to Kimberly Clark Volunteers

**for construction in PLS'
Hendersonville office.
Thanks to these
volunteers the space better
accommodates our growing group
of staff and volunteers in
Hendersonville.**

Your Gift Makes A Difference!

PLS greatly appreciates all of the individuals and groups that have contributed to our 2006 Annual Campaign. With increased support from attorneys and community donors, PLS expects to reach its 2006 goal of **\$232,500**. Your contributions allow us to provide free legal services to meet the basic needs of thousands of low-income people.

In November, PLS kicks off the 2007 Annual Campaign with a goal of raising **\$242,000**. If you would like to make a donation, you can contribute by mail (PO Box 2276, Asheville, NC 28802) or on the internet (www.pisgahlegal.org). For more information, contact Beth Maczka at 210-3430 or bethm@pisgahlegal.org.

Thank you to PLS Donors!

The Z. Smith Reynolds Foundation continues to support PLS' Justice For All Project and is challenging our community to assist in this effort. Every new or increased donation designated for the Justice For All Project will be matched, dollar for dollar, up to \$10,000. Please help us sustain the important work of our immigration attorney and bilingual staff and **support this challenge today!**

The Justice For All Project helps eligible immigrants address employment, housing, domestic violence and other issues, and improve their ability to lift their families out of poverty.

**Help Us Meet the Challenge &
Make Your Gift Go Farther**



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PLS Helps Families Avoid Homelessness

Shawna's landlord threatened to evict her, making false claims that her family had damaged the property. To try to force Shawna out, the landlord illegally turned off the water to the mobile home where Shawna and her children were living. PLS attorney Shelley Pew Brown filed court action to have the water turned back on and to recoup some of Shawna's rent payments for the months she spent without water. Despite a court order to turn the water back on, the landlord refused to restore the water. The landlord's relatives also made physical threats against Shawna's family and tried to intimidate her by shooting guns from their nearby porch.

Despite this terrible living environment, Shawna was determined to stay in the home until the end of the school year to avoid having her children switch schools and lose progress. After several court hearings, the landlord turned the water back on. The judge sentenced the landlord to 30 days in jail for ignoring the court order to provide the family with water. The landlord also had to pay Shawna \$800 in damages. With this financial settlement, **Shawna was able to move her family to decent, safe housing with running water.**



Shawna's landlord cut off water to her home in an effort to evict her and her children. The landlord's relatives threatened to harm Shawna's family. PLS prevented the eviction and secured court-ordered protection for the family.