

Pulling Them Back From the Brink

Legal Counsel For the Elderly Protect DC's Seniors

by Christine Rushton

Ms. Lula had no idea what to do. In her 70s and living on her own, she had no one to help her understand the foreclosure notice the bank had served on her condo in Ward 4. She'd lived there for 25 years. She heard about a legal counsel service for DC residents aged 60 and up and wondered if they could help her. They could.

Legal Counsel for the Elderly (LCE), a non-profit 501(c)(3) affiliate of AARP, assigned LCE attorney Kerry Diggin to review Ms. Lula's situation. "At the time we met with her, a foreclosure sale had already been scheduled," Diggin said. "She was very much at risk of losing her home at 25 years."

Diggin found a mistake in the paperwork. Ms. Lula's reverse mortgage qualifications had been revoked because the mortgage lender didn't have proof of occupancy. Somehow the paperwork didn't get submitted or was lost. LCE quickly provided proof that Ms. Lula lived in her home, got the case dismissed in court, and cancelled the foreclosure sale.

"I would be somewhere, sitting on the street, trying to figure out where to lay my head," Ms. Lula said, explaining what would have happened if not for LCE. "It takes a team of people to help someone."

LCE has helped senior residents like Ms. Lula with income eligibility in DC for more than 40 years. Many of the cases pull residents back from the brink of losing their homes, from debt collectors, from evictions and fraud. As a wrap-around free legal and social service with between 50 and 60 staff and around 800 volunteers, it serves on average 6,000 clients a year and brings them more than \$16 million in total monetary benefits.

What LCE Can Do

LCE's free service starts with a phone call to the Legal Hotline at 202-434-2120. Both administrative staff and attorneys take calls and filter the clients to the correct unit, said JoAnn Mangione, communications manager for LCE. The service has units to

fit the needs of each client, including:

- Legal Hotline, answering questions immediately in some cases
- Alternatives to Landlord Tenant Court, preventing evictions, providing social work for house help, and more
- Consumer Fraud and Financial Abuse Unit, handling foreclosures, debt collection defense, and consumer issues
- Public Benefits and General Services Unit, covering Social Security, Medicaid, Medicare, and veteran's benefits
- Homebound Elderly Project (HELP), helping draft legal paperwork, checking on homebound residents, and ensuring no one is taking advantage of their situation
- Long-Term Care Ombudsman, advocating for residents in assisted living, in communities, and in their own homes
- Senior Medicare Patrol, helping beneficiaries avoid fraud

"Our services empower, defend, and protect those seniors," Mangione said. "That's the work we do, that's the joy we have in helping seniors."

All of LCE's services handle civil cases, not



Ms. Lula hugs LCE attorney Kerry Diggin after getting the foreclosure sale on her house cancelled. Photo: Legal Counsel for the Elderly

criminal. A case can vary in complexity from writing up a will to challenging a landlord in court on improper care for an elderly tenant's home. Whatever the case, LCE works to find the correct lawyer or services.

Many of the cases involve foreclosures, like Ms. Lula's, Mangione said. When someone falls behind on mortgage payments or property taxes, it can bring on evictions and foreclosure threats. LCE attorneys negotiate with mortgage companies to set up new payment plans and ways to work with the tenants to get payments through without them losing their homes. "Those are the kinds of incredibly gratifying cases that we work on," Mangione said.

The attorneys also work with the Elderly and Persons with Disabilities Waiver (EPD) to get needed healthcare for seniors who want to live in their own homes. Paperwork and processes often lead to confusion, and that's where LCE can help. "In many of our cases we succeed in giving clients their wish of living in their own places," Mangione said. "It's heartbreaking when someone has to leave their home and go into a nursing home."

An Army of Pro Bono Lawyers & Volunteers

In order to remain free, LCE receives funds from AARP as well as the DC Office of Aging (DCOA). It also works with several law firms and attorneys who offer their services on a pro bono basis.

Sasha Leonhardt, an associate with Buckley Sandler LLP, has worked with LCE for about two years. He's a part of a group of attorneys in the



Volunteers for Legal Counsel for the Elderly help with outreach at the NBC4 Health and Fitness Expo in 2016. Photo: Legal Counsel for the Elderly

**NOTICE OF AVAILABILITY
PENNSYLVANIA AND POTOMAC AVENUES SE
INTERSECTION IMPROVEMENT PROJECT
ENVIRONMENTAL ASSESSMENT RELEASED FOR PUBLIC COMMENT**

The District Department of Transportation (DDOT) in conjunction with the Federal Highway Administration (FHWA), with the National Park Service (NPS) and the National Capital Planning Commission (NCPC) as cooperating agencies, have released for public comment the Environmental Assessment (EA) for the Pennsylvania Avenue SE and Potomac Avenue SE Intersection Improvement Project.

The EA was prepared in accordance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act, for the reconstruction of the intersection of Pennsylvania Avenue SE, Potomac Avenue SE and 14th Street SE. The EA evaluates the proposed improvements and documents alternatives considered, their potential impacts and costs, and strategies to mitigate them.

The complete EA is available for public download (www.anacostiawaterfront.org/Penn-Potomac) and for public review at:

District Department of
Transportation
55 M Street, SE
4th Floor
Washington, DC 20003

Anacostia Library
1800 Good Hope Road SE
Washington, DC 20020

Southeast Library
403 7th Street SE
Washington, DC 20003

The public comment period will remain open through Friday, June 30.

All comments can be submitted to DDOT via email (ddot.awi@dc.gov), the project website (www.anacostiawaterfront.org/Penn-Potomac), or post mail:

Mr. Ravindra Ganvir, P.E.
Deputy Chief Engineer
District Department of Transportation
Infrastructure Project Management Division
55 M Street, SE, Suite 400 Washington, DC 20003
Phone: (202) 671-4689

Young Lawyers Alliance, which connects lawyers with nonprofits. He helps in litigation cases and also in broader policy issues for elders.

"There are a number of causes where it is difficult to find a lawyer to assist people because the cost of obtaining legal representation is so great," Leonhardt said. So lawyers around DC offer their services to help alleviate the need and fulfill firms' pro bono goals.

Leonhardt described the work as challenging, rewarding, and critically important, and it isn't always an individual situation. LCE helps change policy to affect all seniors' rights. One case he's working on involves rectifying an inconsistent regulation in DC law with regards to tax abatement for low-income residents.

Supporting Seniors, One Case at a Time

"I don't think it's an exaggeration to say that many clients come to us on the brink and in tears and really scared," Mangione said. That anxiety is what LCE tries to quell through extensive outreach to the community through partner organizations, visits to senior facilities and centers, and satellite legal offices.

Legal paperwork and the programs or services seniors enter as they age can bring more confusion than help. LCE wants seniors to know they have help. That's what residents like Ms. Lula want to share with other seniors – they don't have to navigate the processes alone.

"I appreciate them more than they will ever know," she said. "This has been a great lesson in life for me." ♦



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