

Q&A with Tony Hopp: LCBH's Pro Bono Advocate Award Recipient

November 1, 2018

The Lawyers' Committee for Better Housing (LCBH) honored Steptoe partner [Tony Hopp](#) with its 2018 Pro Bono Advocate Award on November 1 for helping a low-income mother and her son vacate their lead-tainted Chicago apartment, recover damages from their landlord for lead poisoning, and secure a new apartment. On its face, the case sounds simple, but what Hopp and his client discovered was how poverty can give rise to roadblocks to obtaining justice and needed services. In this interview, Hopp discusses what he learned through the process and how it shifted his perspective on poverty and the power of the law.

Q: What was most startling to you about this case?

A: Every aspect of this case was a struggle. In court, you expect the other side to fight hard. But this landlord fought dirty. He evaded service for six months at the start of the case, and it went downhill from there. He wanted to make the case personal and to paint my client as an unfit mother. But even after we settled, trying to place my client and her son into a new, safe apartment was surprisingly even more difficult because the wheels of bureaucracy turn very slowly. Sometimes they don't turn at all. What I learned was that, when you are impoverished, the system seems set up to keep you that way.

Q: Why is that?

A: Because even though we have statutes and ordinances in this city and this state to help tenants and protect children, and even though public and private rent assistance is available, access to justice and help is still beyond the reach of most people. A tenant has a right under the law to a safe apartment that is not contaminated with lead. But the tenant doesn't have the skills or the resources to go to court to get the landlord to comply with the law. The tenant may qualify for rent assistance from the city or the state, but unless you have someone to help you get through the red tape, you are just a file on someone's desk or an email in someone's inbox.

Q: It sounds like there is a disconnect between having rights and having the power to enforce those rights. Is that right?

A: Exactly. Rights without the power to enforce them is like a flashlight with no batteries. It's useless if you don't have the power to make the light shine.

Q: So where does "the power" come from for pro bono clients?

A: Without pro bono attorneys, impoverished clients have no access to justice. Our pro bono clients have many rights and resources guaranteed to them, but without someone to help them access those rights and resources, it's like having a flashlight with no battery.

Q: So how did you and LCBH help your client?

A: We went to court and fought hard to get the landlord to respond. We evaluated the options with our client and with a lot of help from co-counsel, Brian Thomas, we got her a reasonable settlement. I did what any experienced litigator would have done. But the important thing is that my client could never have achieved this result without experienced pro bono legal help. The landlord would have just ignored her, and her son's lead poisoning would be even worse today.

Q: Once the case was settled, was your work over?

A: It normally would have been, but in this case, despite having a rent subsidy, the client could not get a new apartment.

Q: Why not?

A: Because carrying a subsidy with you to a new apartment requires a series of approvals and inspections and a lot of paperwork by multiple city agencies and third parties. It turned out that my client's paperwork was sitting on some bureaucrat's desk and not getting processed. So the client lost out on the first apartment she found because the paperwork did not get done. I got back involved and kept emailing and calling all the various public and private stakeholders until we got the new lease signed. It took many months just to get through the bureaucracy and red tape.

Q: It sounds like you are talking about rights with no power to enforce them again. Is that the case?

A: I am. Here again, my client had a rent subsidy and the right to the approvals she needed from the city. But without pro bono counsel to force the paperwork through the process, she might be homeless right now or living in another contaminated apartment.

Q: What advice do you have for people who might want to help?

A: People can only improve their circumstances if they can get meaningful access to justice. As attorneys, we have the ability to lend a hand and to help lift families out of poverty and to prevent homelessness. So get involved with LCBH or a similar organization. A few hours from you each month can keep families together and children safe.