

## **Consumer Rights Project**

### **Year-End Report 2023**

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## Executive Summary

The Consumer Rights Project at Legal Aid Center of Southern Nevada fights to protect low-income consumers in Southern Nevada from threats to their economic security. The Consumer Rights Project advocates on behalf of individuals threatened or victimized by deceptive business practices, illegal or abusive debt collection efforts, predatory and high-interest lending, frauds, identity thefts, and scams that undermine the basic financial well-being and stability of vulnerable Nevadans.

Nevada’s consumer needs have changed after the COVID-19 pandemic (although the COVID-19 virus and its variants appear determined to remain). The Consumer Rights Project has pivoted to help individuals with the proliferation of solar panel door-to-door scams targeted at seniors on fixed incomes, and the Spanish-speaking community. Another unfair, outrageous, and deceptive practice that has appeared requiring assistance is “leasing” of motors, and other parts for car repairs.

The Consumer Rights Project continued to assist disabled Nevadans with applications for Social Security, appeals of Social Security denials, and helped Clark County residents seal their criminal records. We also protected tenants from foreclosure, and illegal evictions. Consumers continued to be represented in cases regarding auto repair/sales fraud, home repair scams, and many other terrible predicaments.

In 2023, the Consumer Rights Project of Legal Aid Center of Southern Nevada has helped low-income Nevadans access the benefits and protections to which they are legally entitled. The Housing Justice Program continues to help keep families housed, members of the Culinary and Bartenders Unions were assisted through the Legal Service Fund in immigration, unemployment benefits, evictions, estate planning, and other consumer matters. Through compassionate efforts, the Consumer Rights Project is making a clear difference in the Clark County community.

## Representation

Below are charts showing new cases and existing cases and the total number of individuals represented in 2023.

Consumer Right Project 2023	
Consultations 2023	5,286
New cases accepted 2023	1,411
Total cases worked on by attorneys (includes previous years cases)	7,310
<b>Total clients served</b>	<b>8,787</b>
Pro Bono Consumer Cases 2023	
New cases placed 2023	509
Total cases worked on by attorneys (includes previous years cases)	2,280
Number of clients served in Ask-A-Lawyer	3,905
<b>Total clients served</b>	<b>6,185</b>

## **Accomplishments**

### **Housing Justice Program**

In 2022, Legal Aid Center formed the Housing Justice Program (HJP) in response to the growing number of evictions in Nevada due to the largest unemployment rate due to COVID-19. HJP continues to assist tenants to stay housed, or provide resources to allow tenants more time to relocate. We added a new housing attorney, and he has been enormously successful in preventing evictions/allowing more time for tenants to find alternate housing.

Legal Aid Center became a member agency of the HMIS portal, which will provide HJP access to information about a potential client's rental assistance application, among other services. This access to information will allow HJP attorneys to be more effective in preventing evictions through real-time rental assistance application status. Tenants are able to use this rental to satisfy delinquent rent and to keep tenants housed.

The Housing Justice team implemented a new outreach procedure to interface with more tenants who have eviction hearings scheduled. This process grew out of our desire to help tenants with active evictions stay housed or relocated.

### **Legal Service Fund**

The Consumer Rights Project continued its partnership with the Culinary and Bartenders Unions in 2022 through the Legal Service Fund (LSF). Unemployment issues continued to persist two years after pandemic-related closures put tens of thousands of union members temporarily out of work. The LSF team provided invaluable assistance navigating the impenetrable bureaucracy to protect union members from unfair treatment. We added two new LSF attorneys in 2023. With the addition of these new attorneys, LSF is able to help more union members with estate planning.

LSF continues to fight unemployment overpayments through appeals, years after union members believed that their unemployment benefits were completed, and after returning to work. LSF was successful in drastically reducing or eradicating unemployment overpayment amounts.

LSF also assisted many members with immigration issues. After estate planning, immigration is the most sought after service that LSF provides. The LSF attorneys and advocates have assisted members with DACA renewals (which are time sensitive due to the political and legal climate surrounding the executive order), Green Card renewals, Adjustment of Status, Immigrant Family Petitions, and Naturalizations.

The LSF team conducted outreaches at different casino properties throughout the year. Members of the team managed outreaches at Mandalay Bay, Tropicana, Cosmopolitan, Paris, Linq, Luxor, MGM, Bellagio, and more. The LSF team conducted four Legal Clinics in 2023 at the Bartender's Union and assisted many Union members with legal questions. The [outreaches](#) for next year have been set, and we are looking forward to a new year networking with members, and offering services to a wider range of clients.

## **Record Sealing**

The Nevada Legislature clearly embraced second chances, so enacted the provisions contained in Nevada Revised Statute Chapter 179 to seal criminal records. The criminal record sealing department was created in 2022 to provide hopeless Nevadans with a pathway to a “clean slate”. This department comprises of one attorney, and two advocates.

In August 2023, the record sealing department, along with volunteers, and community partners, sealed the criminal records of 151 individuals. The criminal records from years ago served as obstacles for Nevadans, who now have access to employment opportunities, promotions, and housing.

## **Consumer Assistance**

The Consumer Rights Project remains committed to providing assistance to low-income Nevadans across a wide variety of consumer financial issues. Consumer Rights Project attorneys helped prevent foreclosure, fought auto fraud, and defended consumers against a wide range of bad actors including identity thieves, unscrupulous contractors, used car dealers, and scammers. In addition to providing direct representation, the Consumer Rights Project furnished invaluable legal advice/information to thousands of low-income Nevadans with nowhere else to turn.

For many years, the Consumer Rights Project has helped disabled Nevadans appeal Social Security Disability determinations and this work continued in 2023. As a direct result of these tireless efforts, hundreds of economically vulnerable individuals and families are able to get vital financial support to provide for their basic needs.

## **Success Stories**

### ***Paul\****

Paul’s mother came to Legal Aid for assistance in representing minor Paul at his Administrative Law Judge (ALJ) hearing regarding Paul’s claim for Supplemental Security Income (SSI) benefits. Paul’s mother claimed she was unable to obtain representation from private attorneys, and was advised to contact the Legal Aid Center of Southern Nevada for assistance.

Paul is 11 years old, and diagnosed with attention deficit hyperactivity disorder (ADHD), oppositional defiant disorder (ODD), disruptive mood disorder, anger outbursts, and adjustment disorder. Paul’s mother reported that Paul’s father abandoned the family due to Paul’s violent and destructive behavior at home, which included multiple visits by police.

Paul was expelled from school due to defiance, and repeated suspensions due to anger outbursts involving destruction of school property. In addition, Paul’s mother reported that she and her son will have to find new housing due to his behavior, and destruction of their current rental home.

Paul’s mother initially contacted Legal Aid in March 2023, and requested assistance for the ALJ hearing scheduled in July 2023. Legal Aid accepted Paul’s case, updated his medical/school

records, and submitted them to Social Security prior to his ALJ hearing. Legal Aid's attorney submitted a brief to the ALJ emphasizing the severity of Paul's multiple mental health diagnoses, his poor academic performance, multiple suspensions for hitting other students, and destruction of school property resulting in his expulsion from school. Following the hearing, the ALJ issued a favorable decision on Paul's behalf allowing his mother to use his SSI benefits to obtain additional mental health treatment to help alleviate Paul's symptoms, and improve the quality of Paul's life.

### *Norma\**

Norma\*, 79 years old, experienced ignition problems with her only vehicle, a 1997 Plymouth Voyager. She took the van to Speedy Auto Service\*\* for a diagnostic test. The mechanic at Speedy Auto examined the van and recommended at least 16 different repairs for a total of \$3,400. Norma, however, could not afford that amount, as her only income is Social Security of \$970 per month, and she lives in public housing.

When Norma told the mechanic that she could not afford the bill, Speedy Auto signed her up for financing through Link Finance.\*\* Norma never signed or even saw the Link Finance contract, nor did she realize that she had entered into a lease-purchase agreement for auto repairs. At the end of the 18-month contract, she would have paid over \$8,000, which includes the price of the repairs plus interest.

Additionally, the repairs that Speedy Auto performed left the van in worse condition. She then had to finance additional repairs through another auto body shop.

Unable to keep up with the payments, and disappointed by the quality of the repairs she received from Speedy Auto, Norma came to Legal Aid Center for help. After reviewing her documents, Norma's Legal Aid Center attorneys informed her that she had actually *leased* auto repairs through Link Finance. She was astonished not only that her financing agreement for auto repairs was a lease, but also that she had leased something with little, if any, residual value.

Her Legal Aid attorneys then contacted Link Finance, explaining that in Nevada it is a deceptive trade practice to lease items with little to no residual value. Auto repairs have absolutely no residual value, so they should not be leased. After negotiations, Link Finance offered to take no further action on the lease-purchase agreement and to release Norma from further financial obligation.

Norma was overjoyed that she would no longer have to struggle to afford groceries and other necessities because of her now released Link Finance payment obligations.

*\*Names changed to protect client's confidentiality.*

*\*\*Names of opposing parties changed*