

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FINANCE

Room 400, City Hall
Philadelphia, Pennsylvania
Friday, March 1, 2013
10:13 a.m.

PRESENT:

COUNCILMAN BILL GREEN, CHAIR
COUNCILWOMAN MARIAN B. TASCO, VICE-CHAIR
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN KENYATTA JOHNSON
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA
COUNCILMAN DENNIS O'BRIEN

ALSO PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILLS: 120054, 121038

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2 COUNCILMAN GREEN: Good morning, everyone.
3 If we could please come to order. The Committee
4 on Finance will begin its public hearing on Bills
5 No. 120054 and 121038.

6 I note the presence of a quorum in the
7 persons of Councilmember Goode, Councilmember
8 Johnson, Councilmember Greenlee and Councilmember
9 Blondell Reynolds-Brown. We will begin with
10 testimony on -- I also want to note the presence
11 of my colleague Maria Quinones Sanchez.

12 We will begin with testimony on 121038 and
13 then move into Bill 120054.

14 Will the Clerk please read the title of
15 both bills.

16 THE CLERK: Bill No. 121038, an Ordinance
17 amending Chapter 17-1900 of the Philadelphia Code,
18 entitled "First Source Jobs Policy," by clarifying
19 certain definitions and responsibilities of
20 financial assistance beneficiaries and of the City
21 under the Chapter, all under certain terms and
22 conditions.

23 Bill No. 120054, an Ordinance amending
24 Chapter 19-1300 of the Philadelphia Code, entitled

1 "Real Estate Taxes," by providing for installment
2 payments and requiring commencement of enforcement
3 action, all under certain terms and conditions.

4 COUNCILMAN GREEN: Thank you. Will
5 whoever -- let's see here. Kevin Dow for 121038.

6 Good morning, Mr. Dow. Please state your
7 name for the record and begin your testimony.

8 MR. DOW: Good morning. My name is Kevin
9 Dow. I'm the Chief Operating Officer for the
10 Commerce Department in the City of Philadelphia.
11 It's my pleasure to be here in testimony for Bill
12 No. 121038. All amendments in this bill were
13 agreed to upon -- during the first -- previous
14 First Source legislation debate, but there was
15 some amendments that did not wind up in the final
16 bill.

17 We are -- Bill No. 121038 clarifies certain
18 definitions and financial assistance beneficiaries
19 and responsibilities of the City. And the
20 Administration supports these amendments and this
21 bill.

22 Thank you very much.

23 COUNCILMAN GREEN: Yes, thank you. I think
24 there were certain things that we agreed to at the

1 Administration that I didn't actually put in the
2 amendments to the bill, so I apologize. And I am
3 glad we are rectifying that now.

4 Are there any questions for this witness?

5 Seeing none, anybody else here to testify
6 on Bill No. 121038?

7 Seeing none, we will move to Bill No.
8 120054. We will start with a statement from my
9 colleague Maria Quinones Sanchez.

10 MS. QUINONES SANCHEZ: Thank you. Good
11 morning.

12 First, I want to thank the Administration
13 for having worked with Councilman Green and I on
14 this piece of legislation. It's been part of our
15 Freshman 15, and we've spent the last four or five
16 years working with the Administration around how
17 do we streamline some of our collection process.
18 So, I want to thank them for their help.

19 I cosponsored this bill with Councilman
20 Green because it's urgent that we create better
21 tools to collect the property tax that the City is
22 owed while keeping people in their homes whenever
23 possible. It is even more important that we do
24 this now as some taxpayers are facing increase

1 assessments that may have caused them to fall
2 behind.

3 For too long payment plans for taxpayers
4 have been treated effectively as a secret and
5 often only available to those who know how to say
6 the magic words. As a representative of a
7 district with a significant tangle-title problems,
8 I regularly field calls from constituents who want
9 to pay their taxes but who are having trouble
10 getting themselves approved for a payment plan
11 because their name is not on the deed even though
12 they are property's legal owner.

13 This bill creates a clear consistent system
14 for incoming taxpayers of their options and
15 rights. And once adopted, it will increase
16 fairness and efficiency and tax collections.

17 In writing this bill, we looked at what
18 works for the private mortgage companies. We know
19 that most homeowners do not pay attention to clear
20 notices that tell them that they are at risk of
21 losing their home. The bill will require such
22 notices and make sure they include information
23 about specific payment plan options and resources
24 like legal services, housing counselors who may be

1 available to help taxpayers who have fallen behind
2 on their taxes.

3 Philadelphia is nationally recognized for
4 its successful mortgage foreclosure diversion
5 program which uses housing counselors to help
6 taxpayers negotiate agreements to save their
7 homes. As a city, we are already funding these
8 housing counselors to work on these issues
9 including delinquent taxes. This bill ensures
10 that taxpayers are referred to those housing
11 counselors for help.

12 The bill also guarantees that there is one
13 set of rules and procedures no matter who is
14 collecting city taxes whether it's the Revenue
15 Department, Law Department -- which are now
16 combined -- or private firm Linebarger, GRB or
17 anyone else.

18 By creating a single system of payment
19 agreements with clear rights and requirements for
20 taxpayers, we will be more successful in getting
21 taxpayers into compliance and keeping tax payments
22 coming in. We will also make sure everyone knows
23 the consequences of not taking action with clear
24 prescribed timeline for enforcement including

1 foreclosure. We have worked closely with city
2 agencies and advocates for low income taxpayers to
3 shape this legislation.

4 I appreciate the Committee's support of
5 this bill. Thank you.

6 COUNCILMAN GREEN: Thank you. We will
7 begin with testimony from Commissioner Richardson.
8 And then we will have a panel after Commissioner
9 Richardson consisting of Christopher Ayres, Scott
10 Winfre and Montgomery Wilson. I see Francis
11 Beckley has joined the Commissioner.

12 Would you state your name for the record
13 and please begin your testimony -- actually,
14 before you begin, I want to recognize that
15 Councilmembers Blackwell and Squilla are present.

16 Please proceed with your testimony.

17 MR. RICHARDSON: Good morning. My name is
18 Keith J. Richardson, Revenue Commissioner. Good
19 morning, Chairman Green and Members of the City
20 Council Committee of Finance. Again, with me
21 today is Frances Beckley, the Chief Counsel for
22 the Department of Revenue.

23 We are here to testify on Bill No. 120054.
24 Again, amending title 19-1300 that relates to the

1 real estate tax in the general -- in the section
2 of 19-1305, this chapter deals with installment
3 payment agreements in particular. It is in the
4 context that we support the general purpose of the
5 bill. This bill contains extensive revisions and
6 changes on the City's current real estate tax
7 collection system. And we believe in the main --
8 in May these things will all be very helpful to
9 the City's new collection strategy.

10 Representatives from both the Revenue
11 Department and Law Department have been meeting
12 regularly with council staff and members of the
13 legal services community to discuss these issues.
14 The Administration completely agrees with the
15 Bill's objectives to make real estate tax payment
16 agreements for owner/occupants more accessible,
17 more consistent and more transparent. However, we
18 have some reservations on certain aspects of the
19 bill as currently written, which we are working
20 with Council on those issues and want to continue
21 further discussions.

22 This concludes my testimony. Thank you for
23 the opportunity to be here this morning. And we
24 will be here to answer any questions you may have.

1 COUNCILMAN GREEN: Thank you.

2 Any questions for this witness?

3 COUNCILMAN GREENLEE: Mr. Chairman, I am
4 just wondering -- Commissioner, you said about
5 concerns. Can you just briefly go over what your
6 concerns are.

7 MR. RICHARDSON: I will refer to our Chief
8 Counsel, Ms. Beckley.

9 MS. BECKLEY: Yeah. A lot of it has to do
10 with the form of the bill as it's currently
11 written. We don't -- we have been meeting for
12 quite a long time with council staff and members
13 of the legal services community. And I think we
14 made great strides in coming to agreement on most
15 of what needs to be done. The question is just
16 whether this is the correct way to go about doing
17 it.

18 As an example of how we would like to see
19 the bill read, I would point you to Subsection
20 2-F7 which reads, "the Department shall promulgate
21 standards governing state postponements and holds
22 in pending enforcement action to allow taxpayers
23 time to apply for and enter into payment
24 agreements and/or to seek legal representation or

1 assistance. The Department also shall promulgate
2 standards regarding circumstances under which
3 pending enforcement actions may be discontinued
4 after taxpayer enters into a payment agreement."

5 You know, we have come to an agreement that
6 we want to see those things happen. And you
7 delegated to the Commissioner, I think
8 appropriately, the discretion to figure out how
9 those things should be gone about. And that will
10 allow us through a process of trial and error to
11 promulgate regulations which we can update monthly
12 if we need to as we discover what things make
13 sense.

14 When exactly should they be stayed? For
15 how long should they be stayed?

16 You know, there are lots of genuine
17 owner/applicants that we're very anxious to help.
18 We also are -- in this business, there are a lot
19 of scammers. And we need to make sure that we're
20 separating those two classes of people out
21 appropriately.

22 In contrasts to that you can take --

23 COUNCILMAN GREENLEE: Excuse me. I guess I
24 didn't hear where that language was a problem.

1 Maybe I missed something.

2 What was the problem there?

3 MS. BECKLEY: No. I was showing that as an
4 example of how a portion of this bill that I think
5 is correctly drafted.

6 COUNCILMAN GREENLEE: Oh, all right. I'm
7 sorry.

8 MS. BECKLEY: Okay.

9 In contrast to that, I would point you to
10 Subsection 2B: Warning of risk of tax foreclosure
11 action subpart one, First Notice.

12 "Should a taxpayer not remit payment for
13 the current year's real estate tax liabilities or
14 enter into a payment agreement" -- and I'm not
15 going to read you this. There is a list that is
16 longer than a page of exactly what information we
17 have to send to the taxpayer.

18 Then on the next page --

19 COUNCILMAN GREEN: Ms. Beckley, if I can
20 maybe shorten this process, the objection of the
21 Administration is that you are perfectly fine if
22 we pass a bill and everywhere in it say that the
23 Department can promulgate regulations with respect
24 to the following.

1 You have objections to parts of the bill
2 where we have said we are not going to leave
3 discretion with the Department, with the
4 Commissioner or Department of Revenue but instead
5 believe that we are -- that certain things are so
6 clearly important to the payment plans that we
7 want to put in place or with respect to
8 enforcement actions that we want to make sure
9 happen if payment plans aren't met, that we have
10 prescribed exactly what must happen in those
11 circumstances?

12 And would it -- just to summarize, would it
13 be fair to say your objection is to everywhere in
14 the bill we have said specifically what is to
15 happen with respect to payment plans or
16 enforcement actions?

17 MS. BECKLEY: I don't for a moment suggest
18 that it is not City Council's prerogative to --

19 COUNCILMAN GREEN: I'm just asking is that
20 a fair description of your --

21 MS. BECKLEY: No.

22 COUNCILMAN GREEN: -- object -- okay.

23 MS. BECKLEY: That's why I'm responding.

24 You know, for example, in the section that

1 I read to you earlier, there will be stays. There
2 will be postponements. We will figure out what
3 makes sense on those. I would have no problem if
4 this section said there shall be a first notice
5 and there shall be a second notice. Right now it
6 prescribes a page long list of information that is
7 to be included in both notices.

8 We don't know what that mailing costs, and
9 we don't know that sending that mailing twice
10 rather than sending all that information once and
11 sending a shorter notice a second time might not
12 be just as effective and cost almost half as much.
13 That's the kind of thing that people who do this
14 operationally day to day like the Commissioner
15 should be allowed to determine.

16 I think it would be fine if you wrote there
17 should be two notices, and at a minimum they
18 should include, you know, a few critical pieces of
19 information.

20 COUNCILMAN GREEN: Right.

21 MS. BECKLEY: But you have a virtually
22 exhaustive list here that, you know -- some of
23 which may be incomplete. You may -- we might want
24 to lose some of these items. We might want to add

1 some of those items. It's just a question of
2 keeping a reasonable level of operational
3 flexibility in the system.

4 MR. RICHARDSON: My only other concern with
5 the bill is there is nothing about making a down
6 payment for someone to get a payment agreement.
7 We all can get a car note, can get a mortgage and
8 you have to put some type of money down before you
9 start making your payment agreements. It doesn't
10 seem right to have a taxpayer come in and make a
11 payment agreement and they're not putting any
12 money forward as they do right now.

13 I think that should be part of the bill.
14 Because if you are coming in and not making some
15 kind of said payment, 30 days, 45 days from now
16 they may forget about that bill. We don't want
17 them to forget. When they take their hard earned
18 money and put it down, that makes them think
19 sometimes that they have to make responsible
20 decisions to make the payments on a monthly basis,
21 as well.

22 COUNCILMAN GREEN: Right. There are income
23 tests where you are entitled to a payment
24 agreement and where you are not. And you have

1 complete discretion if someone is above 70 percent
2 of AMI for the Department. We're talking about
3 creating standards that must be achieved for
4 people who are in poverty, who own their own
5 homes, and to prevent them from being thrown out
6 of their homes.

7 And you would like us to give you the
8 discretion not to treat those people as I just
9 described. And after lots of work with your
10 department and the legal services community and
11 others who will testify shortly, we've made the
12 decision to draw the line at the Department's
13 discretion in this legislation at 70 percent of
14 AMI or -- I don't have the -- I think that's
15 right.

16 And so, I hear you. But I think I am
17 characterizing your objections somewhat clearly
18 anyway.

19 Are there any questions by Members of
20 Committee?

21 (No response)

22 COUNCILMAN GREEN: Okay. Thank you for
23 your testimony.

24 Next we'll have Christopher Ayres from

1 Citizens and Community Legal Services; Scott
2 Winfre, Housing Counselor from the Philadelphia
3 Unemployment Project; and Monte Wilson from
4 Community Legal Services.

5 MR. AYRES: Good morning and thank you for
6 hearing me today.

7 My name is Christopher Ayres. I was born
8 in Philadelphia in 1965. I live in my home at
9 2541 South 12st Street, Philadelphia, PA 19148
10 which I own. I was raised, educated and have
11 worked in the City of Philadelphia my entire life.
12 I started working when I was 13 years old to help
13 support a single parent household, so I understand
14 the value of hard work from an early age.

15 I have worked as a mental health counselor
16 within the city prison system hoping to reach
17 those who may have lost hope in their futures. I
18 have also worked with children through Juvenile
19 Treatment Court attempting to help young
20 Philadelphians avoid institutionalization.

21 At times, I found myself working three
22 jobs. One benefit of working so many jobs is the
23 ability to buy a home in Philadelphia free and
24 clear of a mortgage.

1 After working for 30 years, my health began
2 to fail. I had three heart attacks and multiple
3 surgeries. I tried in vain to purchase health
4 insurance as I was self-employed and was not
5 eligible for group policy coverage. Every health
6 insurance company turned down my request for
7 coverage due to preexisting conditions. My health
8 was quickly failing. The amount of hours I was
9 physically able to work began to dwindle. And
10 what money I did earn was being spent on doctors
11 and medications. Eventually, I had to stop
12 working and I began to fall behind in my real
13 estate tax.

14 Last year when I was four years behind in
15 my real estate taxes, I got a letter from
16 Linebarger stating that I needed to appear in
17 court because my home was going to be listed for
18 sheriff sale. I had received earlier notices from
19 the Department of Revenue, but I was unable to pay
20 because I was in financial limbo having lost my
21 job.

22 The letter from Linebarger did not mention
23 anything about the possibility of entering into a
24 hardship agreement. I had no idea that hardship

1 agreement was even an option. I had no idea what
2 to do. I tried to reach out to Linebarger, and
3 they only confirmed my court date. They did not
4 mention any alternatives to a sheriff sale. I was
5 terrified that I was going to lose my home and
6 become homeless, but I saw no way out. I simply
7 could not afford to pay off my delinquency,
8 penalties and interest in a lump sum.

9 At that point, I reached out to Community
10 Legal Services after my general assistant benefits
11 were cut off reducing my income to \$100 monthly
12 from my aunt for personal healthcare services.
13 Only then did I learn about the option of entering
14 into a hardship agreement to pay off my delinquent
15 real estate taxes.

16 Community Legal Services also told me that
17 with no proof of income I would not qualify for a
18 hardship agreement. I decided to take a boarder
19 into my home, which then gave me the income that I
20 needed to enter into the agreement. With the help
21 and support of Community Legal Services I have
22 been able to enter into a hardship agreement for
23 my current taxes. And I am anxiously awaiting a
24 second payment agreement to pay what I owe in my

1 back real estate taxes.

2 My current taxes for 2013 are \$1,273 which
3 I can pay in installments with the income I now
4 have from a boarder and my aunt. I am also
5 hopeful that I will begin receiving federal
6 disability benefits later this year making it much
7 easier for me to cover my expenses including
8 taxes.

9 If Community Legal Services had not helped
10 me, I would have lost my home. Linebarger was not
11 forthcoming about the possibility of entering into
12 a hardship agreement that I -- and I am extremely
13 grateful that Linebarger gave me a 90-day
14 extension so I could apply for the hardship
15 agreement. But they only did so after Community
16 Legal Services specifically asked for that
17 extension on my behalf.

18 I was astounded by how limited available
19 resources are to someone in my position and how
20 difficult it can be to enter into a payment plan.
21 Philadelphia City Council is the last safety net
22 available for people like me, the poor and
23 disabled members of this community who have
24 nowhere else to turn, so easily discarded and

1 often thought of as disposable. We are genuine
2 Philadelphians who often, through no fault of our
3 own, have found ourselves in a bad situation. But
4 we still have faith that our elected officials
5 will always have our best interest in mind.

6 Thank you.

7 COUNCILMAN GREEN: Thank you very much for
8 your testimony. I appreciate it.

9 Any questions?

10 (No response)

11 COUNCILMAN GREEN: Thank you very much.
12 Scott Winfre.

13 (Approaches witness table)

14 COUNCILMAN GREEN: Thank you for joining
15 us. Please state your name for the record and
16 begin your testimony.

17 MR. WINFRE: My name is Scott Winfre. Good
18 morning, Members of the Council.

19 As I said, my name is Scott Winfre. And I
20 work for the Philadelphia Unemployment Project and
21 the Unemployment Information Center here in
22 Philadelphia. I've worked as a housing counselor
23 for the past twelve years assisting over five to
24 ten homeowners weekly with various real estate tax

1 issues. I am in direct contact with the City of
2 Philadelphia, Linebarger Goggan Blair Sampson, GRB
3 and the City of Philadelphia Law Department as
4 well as various homeowners attempting to save
5 their residents from tax lien sales. The services
6 we provide homeowners are provided for free to all
7 residents of City of Philadelphia.

8 I've been asked to speak to you today
9 regarding a matter of the proposed Bill 120054.
10 The proposed changes would also make provisions
11 for installment payment agreements and require the
12 commencement of enforcement action under certain
13 terms and conditions. I believe that making these
14 changes would help homeowners in their homes.

15 The issue with tax collection, in my
16 opinion, is that homeowners are not treated
17 equally, have different processes depending on the
18 collection agency, and very often are required to
19 maintain unrealistic plans that are quickly
20 broken. The purpose of this ordinance is to
21 assist in obtaining uniformity in the tax
22 repayment agreement process and consistency among
23 the three collection agencies involved in the tax
24 delinquency collection process.

1 The proposed change to obtain uniformity
2 and across-the-board consistency will ensure that
3 there is a humanistic approach to providing
4 assistance to the thousands of families facing tax
5 delinquency. In my experience, homeowners make
6 agreements that are verbally agreed upon but
7 hardly ever receive agreements in writing.

8 An example of this case scenario is George,
9 a homeowner, comes into my office seeking to reach
10 an agreement for tax delinquency. I proceed in
11 completing the application for hardship agreement,
12 perform a budget and verify the residency and
13 review their income and their assets.

14 I then escort the homeowner to the
15 respective collection agency in order to resolve
16 the arrears. At one point, I used to fax the
17 application to different agencies. But in my
18 experience, I frequently found that there were
19 cases that were lost, never received by the agency
20 or just never responded to. On the other hand,
21 there are some cases that were submitted that were
22 reviewed and written agreements were offered.

23 As a result, I found the best course of
24 action is to physically escort my clients to the

1 prospective agency. The time and effort used to
2 escort these clients personally is exhausting the
3 resources from my agency. This is time that could
4 be best used assisting other homeowners stay in
5 their homes.

6 I work with homeowners that have limited
7 resources. Often when I go to these collection
8 agencies, they demand unrealistic amounts of money
9 sometimes even to enter into agreements. They
10 offer good faith payments to put up. This applies
11 especially to homeowners facing sheriff sales.
12 The restructuring of this process would eliminate
13 the homeowners uncertainty affording them a way to
14 stay into their homes while in the tax lien
15 foreclosure status.

16 In addition, many of my residents have no
17 options for transition after foreclosure. And the
18 system in place would simply create an increase in
19 homelessness even more than the debt. There is a
20 mortgage foreclosure crisis that already has
21 devastated Philadelphia. Adding to this will
22 increase in tax lien crisis and will only increase
23 the burden on the City and the people of
24 Philadelphia. As my job as a local housing

1 counselor, it would become even more challenging.

2 Without the support of the collaborating
3 offices, the job is almost impossible. I'm in
4 agreement with Mayor Nutter's admission that the
5 tax collection system in place has been less than
6 desirable. This warrants an obligation from this
7 committee and other City Council members to do the
8 right thing and to make the much needed changes.

9 Homeowners could also benefit from citywide
10 advertising campaign directed towards the City of
11 Philadelphia tax delinquency collection efforts
12 which could include information regarding agencies
13 that provide services for free.

14 No matter where you go or how you send your
15 application, homeowners should be treated the same
16 way, given the same options to respond and be
17 responded to in a reasonable amount of time. I
18 think that this is an important ordinance. It
19 will benefit the community at large by assisting
20 in maintenance of community preservation,
21 neighborhood integrity and ultimately a reduction
22 in tax lien sales citywide.

23 Thank you for your support.

24 COUNCILMAN GREEN: Councilmember Johnson.

1 COUNCILMAN JOHNSON: Thank you, Scott.

2 First and foremost, I just want to thank
3 you for your service with the Philadelphia
4 Unemployment Project. You have helped several of
5 my constituents in the past. And a lot of times
6 it was really in situations where they were going
7 to a variety of different agencies for support
8 being told a variety of different stories. And I
9 remember sending them to you and them actually
10 getting some type of assistance, which was an eye
11 opening experience for me when I first came on as
12 Councilman of how things worked on a city level.
13 So, I did want to personally thank you from that
14 component.

15 I guess since we are talking about the
16 context of taxes and collecting tax, and that is,
17 like, part of the major discussion going on as we
18 talk about AVI, what type of responses have you
19 been getting in your office as people have been
20 receiving their new property tax assessments?

21 From your professional aspect, even as it
22 relates to this bill and how things are operating,
23 things that we need to pay attention to to provide
24 a certain safety net. Because it's been in my

1 experience even when you look at those individuals
2 who have income levels which are 70 percent above
3 AMI, and that's still kind of low in some areas.

4 MR. WINFRE: Right.

5 COUNCILMAN JOHNSON: I have a very, very
6 diverse district but -- even in parts of Point
7 Breeze. And I've been experiencing most recently,
8 I mean, how they came up with the assessments -- I
9 just know quite frank, it's not a scare tactic,
10 but some of the seniors that we meet in our
11 district office are going to have problems because
12 they are on -- some on fixed income.

13 MR. WINFRE: Right.

14 COUNCILMAN JOHNSON: Some may be just
15 slightly above that \$23,000. Might make \$25,000,
16 and then they are in a situation. So, just give
17 us some feedback as a person working on the
18 ground.

19 MR. WINFRE: I think there is a overall
20 level of concern. And with these changes in the
21 structures, it's going to actually drive, in
22 particular, seniors out of neighborhoods that
23 they've been in for years. And that's a concern
24 of mine. And we need to look at -- look at what

1 we're ultimately going to do to some of these
2 communities. In particular, yours.

3 You have a diverse ward. And that ward is
4 going to change as a result of this AVI. So, we
5 have an ultimate obligation to the residents of
6 Philadelphia to do what we can do to assist them.
7 And we will continue to do that.

8 COUNCILMAN GREEN: Thank you.

9 Any questions for this witness?

10 (No response)

11 COUNCILMAN GREEN: Thank you very much for
12 the work you do and the testimony that you have
13 here today.

14 MR. WINFRE: Thank you.

15 COUNCILMAN GREEN: Monte Wilson.

16 (Witness approaches table)

17 MR. WILSON: Good morning.

18 COUNCILMAN GREEN: Good morning. Please
19 state your name for the record, and proceed with
20 your testimony when you are ready.

21 MR. WILSON: My name is Monte Wilson. I am
22 a supervising attorney at Community Legal Services
23 in Philadelphia.

24 My name is Monte Wilson. I'm a supervising

1 attorney at Community Legal Services Philadelphia
2 where I have worked in the consumer housing unit
3 since 2001. CLS strongly supports the bill that
4 you are considering today in front of the Finance
5 Committee, Council Bill 120054 which proposes to
6 amend the code in order to standardize and
7 formalize access to Philadelphia homeowners to
8 affordable installment payment agreements for
9 delinquent property taxes.

10 Before I do anything else, I want to take a
11 minute to thank the whole Committee for hearing us
12 today. And particularly, I'd like to thank
13 Councilman Green and Councilwoman Sanchez for
14 sponsoring this bill and all the effort in
15 particular that their staff has put in. I'd like
16 to recognize Sophie Bryan who had a big hand in
17 this bill when we started out six months ago as
18 well as Todd Baylson and Jennifer Kates. They
19 have really done an excellent job.

20 I also want to thank the Commissioner of
21 Revenue and Frances Beckley and all the staff at
22 Revenue for meeting with us every two weeks for
23 the last six months to try to come to some kind of
24 agreement on this bill. There has been a lot of

1 work and a lot of discussion around the details.
2 And even though I know we are not quite on the
3 same page, we are a long way from where we were
4 six or seven months ago.

5 As the City of Philadelphia has stepped up
6 its effort at tax collection, the legal services
7 community has seen a steady increase in the number
8 of homeowners seeking help with their delinquent
9 real estate taxes or representation in tax
10 foreclosure cases filed by the City or co-counsel
11 for the City. Since January of 2012, over 570
12 people have come to Community Legal Services and
13 Philadelphia Legal Assistance seeking help
14 regarding delinquent property tax. There are
15 thousands more we never see.

16 There can be little debate that the City
17 needs the revenue or that residents need to pay
18 their property taxes. But what residents also
19 need is a uniform, well-publicized system of
20 collection based on written agreements and notice
21 which will ensure that homeowners will be offered
22 installment payment agreements and notice and
23 offered agreements with monthly payments they can
24 afford to give them a fair opportunity to pay off

1 those tax debts. The system needs to be fair and
2 consistent ensuring that homeowners are offered
3 the same opportunities and the same chances
4 whether they are dealing with the Revenue
5 Department, the Law Department or co-counsel
6 Linebarger, Goggan, Blair and Sampson or GRB.

7 We believe that the installment payment
8 bill meets those goals allowing the City to
9 collect its overdue property taxes but helping
10 Philadelphia homeowners a reasonable chance to
11 preserve their homes and work their way out. The
12 bill does that by offering homeowners uniformity,
13 notice, incentives to make payments as agreed, and
14 finally, real consequences for failure.

15 It's important to stress, because this is
16 usually the first question I get asked, that this
17 is not a universal bill. This is not the Save the
18 Warehouse Bill. This is not the Vacant Property
19 Preservation Bill. This bill applies to
20 owner-occupied properties, peoples homes for
21 families in Philadelphia.

22 We believe that homeownership is different
23 in that homeowners need to be given every
24 reasonable chance to keep their homes before being

1 faced with foreclosure and eviction. We also
2 believe that home preservation is a value that is
3 important -- that is as important as collecting
4 revenue. It's not necessarily cost effective for
5 the City to move quickly to foreclose on a family
6 home, possibly pushing a family into a shelter and
7 negatively effecting property values if the home
8 becomes vacant.

9 In fairness, it's my experience that the
10 Department of Revenue largely agrees and does not
11 want to foreclose on family homes if they can be
12 paid.

13 Second, and I think this is probably the
14 most important thing before the -- in this bill,
15 the bill creates a uniform system of payment
16 plans. One of the major problems with the current
17 essentially informal system is that different
18 payment plans are offered to taxpayers with
19 different terms depending on who they are dealing
20 with. Right now the same taxpayer whose income is
21 eligible for financial hardship agreement with
22 Linebarger, Goggan or GRB can be found income
23 ineligible based on their income for an extended
24 term agreement with the Revenue Department.

1 Similarly, a taxpayer who is a daughter of
2 the record owner on a deed will be eligible for an
3 agreement with Linebarger Goggan or GRB under the
4 financial hardship guidelines. But if their lien
5 just happens to be being dealt with by the Revenue
6 or the Law Department, because that daughter is
7 not the record owner, she will not be eligible for
8 a payment plan. That kind of variation based
9 solely on who the taxpayer is lucky enough to be
10 talking to is confusing and leads taxpayers like
11 my clients to believe that the system is unfairly
12 based on luck and who you know.

13 This bill addresses that problem by setting
14 out standardized eligibility requirements,
15 standardized monthly payment amounts tied to a
16 person's income, standardized amounts of interest
17 and penalties which may be forgiven if and only if
18 the taxpayer pays off 100 percent of the principal
19 first, and standardized notices to be sent out to
20 taxpayers informing them of their payment options
21 and the tax relief that Council has worked so hard
22 on and telling them what the consequences will be
23 if they fail to pay.

24 These uniform standards will apply

1 regardless of whether taxpayers dealing with
2 Revenue, the Law Department, Linebarger or GRB.
3 This will go a long way towards giving homeowners
4 a fair opportunity to enter into an agreement they
5 can afford, a fair opportunity to climb out of
6 debt and a fair notice of the consequences.

7 Third, this bill will give homeowners fair
8 notice both of the relief available, like the
9 Homestead Exemption or the Pennsylvania Rebate and
10 their obligations to pay and the consequences for
11 failure to pay. The bill requires that two risks
12 of -- warning risk of foreclosure letters will go
13 out to taxpayers at least 60 days after they are
14 late with their payments. The warning letters
15 would demand payment but would also advise
16 taxpayers of the forms of tax relief like the
17 exemption that may be available to help them and
18 would refer them to taxpayers and housing
19 counseling agencies and legal service agencies for
20 advice.

21 Private mortgage lenders have had to do
22 this in Pennsylvania since 1983. There is a
23 standard letter usually known as the Act 91 Notice
24 of Intention to Foreclose that lenders in

1 Pennsylvania foreclosing must send out to private
2 borrowers before they can file a tax action.
3 We're not asking for jurisdictional requirement.
4 We're not asking for a loan program like the State
5 loan program that the Act 91 letter is tied into.
6 We are simply asking for a much simpler form of
7 notice that tells people they are behind, that
8 tells people what their options are and that gives
9 them somewhere to go if they feel like they can't
10 deal with this problem on their own, and it tells
11 them that foreclosure could happen.

12 One of the things that's come up over and
13 over in the last six months is a discussion about
14 the culture of nonpayment. My response to that is
15 that's absolutely correct. We do have a tradition
16 in Philadelphia of people not paying their taxes.
17 We also have a tradition of the taxes not
18 particularly being collected aggressively.
19 Beginning with the Street Administration and
20 certainly under the Nutter Administration that is
21 over.

22 One of the first things I say to every
23 single client who comes into my office is the idea
24 that you don't have to pay your taxes anymore is

1 over. That is changed. We need this notice to
2 put that word out to people, to reeducate
3 Philadelphians that the day is over and it's time
4 to step up and pay. But it's unrealistic to ask
5 them to put up an enormous lump sum, something
6 like 10 percent of the total principal balance or
7 even 25 percent. They need to be able to make
8 affordable payments.

9 The other kind of notice that they will get
10 is a standard written payment agreement that will
11 spell out not just here is your monthly payment,
12 here is an address to send it to, but that will
13 tell them here is your payment. It is tied to
14 your monthly income. What we have proffered is a
15 three-tiered -- essentially a four-tiered system.

16 For those people whose income is below --
17 at or below 70 percent of AMI, Area Median Income,
18 there will be different amounts that they will
19 have to pay. If you are extremely low income,
20 living at 30 percent of AMI, you will pay
21 5 percent of your monthly income.

22 COUNCILMAN GREEN: Mr. Wilson, would you
23 mind for the record stating what the average area
24 median income is.

1 MR. WILSON: Well, it depends.

2 COUNCILMAN GREEN: What is the average? So
3 when you say 70 percent of it, 70 percent of what
4 number?

5 MR. WILSON: I think it's easier to break
6 it down. The median income in Pennsylvania,
7 according to HUD, is \$80,000 a year. That's
8 annual income. For our clients in these four
9 different categories, here is what that means.

10 If you are living at 30 percent of area
11 median income, that's about for one person \$17,000
12 a year or \$1,429 a month. Most of you know that's
13 somebody living on Social Security benefits right
14 there. If it's a family of four, that's \$24,000 a
15 year or \$2,000 a month. That's the first -- the
16 lowest tier. Those folks would pay 5 percent of
17 their monthly income towards the delinquent taxes.

18 The next tier up would be people living at
19 50 percent of area median income. That is \$2,300
20 a month for a single person or \$3,396 a month for
21 a family of four. They would pay 8 percent of
22 their income towards the delinquent taxes each
23 month.

24 Finally, the next tier up is folks living

1 up to 70 percent of income. They would pay --
2 their income is about \$3,300 a month for one
3 person, \$4,754 for a family of four. That's not a
4 lot for a family of four to live on. They would
5 pay 10 percent of their income.

6 Above the 70 percent figure, we no longer
7 tie the payments to area income. Those folks will
8 generally have 24 months to pay the tax bill off
9 in full, but the Department has discretion where
10 there's a hardship to extend that if they choose
11 to.

12 COUNCILMAN GREEN: I interrupted your
13 testimony. I apologize.

14 MR. WILSON: That's quite all right.

15 COUNCILMAN GREEN: Please proceed and then
16 we'll have questions.

17 COUNCILWOMAN TASCO: I have a question on
18 that, too.

19 COUNCILMAN GREEN: Yes, I'm sorry.
20 Councilmember Tasco.

21 COUNCILWOMAN TASCO: What happens if a
22 family is paying delinquent taxes? How do they
23 keep up with the current tax?

24 MR. WILSON: The bill is going to require

1 that they need to pay the current taxes at the
2 same time. We are not trying to set up a system
3 where you can pay 10 percent of your income, that
4 would be \$400 a month for a family of four on
5 \$4,000 but also let your 2014 taxes slide. You
6 have to be able to manage the current taxes plus
7 whatever the preset amount of the delinquent taxes
8 are.

9 That is one of the, as a debtor's attorney
10 I can honestly say, downsides of this bill but I
11 think that is realistic. There are going to be
12 people that are going to lose their homes because
13 they cannot afford to cover the current taxes plus
14 whatever this amount is.

15 I think Council needs to think about some
16 other options for those folks like a senior
17 deferral for folks who may be built up large
18 arrears and are over the age of 65 or 70. You may
19 want to allow them to simply defer payment on the
20 taxes. But the fact remains, at some point we had
21 to draw a line and agree that if you are living on
22 \$200 a month, it may not be possible for you to
23 stay in your house.

24 When Mr. Ayres originally came to me, that

1 was pretty much his situation. His GA had been
2 cut off. He'd been able to pay the taxes before
3 them. Without the State General Assistance he had
4 \$100 a month income. He would not be able to
5 afford it. And my advice, he went out and got a
6 renter. He still has that \$100 a month. He is
7 going to pay the taxes. If he gets disability, he
8 will be able to do it if we tie his delinquency
9 payments to his income.

10 Shall I continue?

11 COUNCILWOMAN TASC0: Go ahead. I will come
12 back.

13 COUNCILMAN GREEN: Yes. Please proceed
14 with your testimony.

15 MR. WILSON: I will move ahead.

16 Basically, the bill creates a
17 carrot-and-stick approach to collection. As a
18 member of legal services, obviously, I am in favor
19 of a big carrot. A lot of motivation for people
20 to pay their taxes.

21 We are offering affordable monthly payments
22 that are tied to household income for homeowners
23 that are below 70 percent of area median income.
24 We are also saying if you step up and do this and

1 pay 100 percent of your principal off, we will
2 give you a certain amount of forgiveness depending
3 again on which tier you are in on penalties and
4 interest. For folks just below 70 percent of
5 income, they will get 100 percent of penalties
6 reduced, but still have to pay all their interest.

7 For folks living below 50 percent of area
8 median income, they will get the penalties reduced
9 and 50 percent of the interest.

10 For the poorest folks, those living at 30
11 percent of area median income, that's that \$1,400
12 a month, if they pay off the principal in full,
13 they will get 100 percent of the interest waived
14 and 100 percent of the principal.

15 What is important here is to know this
16 isn't an up front deal. It's not an amnesty
17 program. This is a chance of if you pay in full
18 and do what you need to do and maintain your
19 current taxes, we recognize on \$1,400 a month, the
20 odds of getting that money is going to take 10 or
21 20 years possibly. And the Department -- we are
22 encouraging in this bill for it to let it go. And
23 this is the program we came up with in our
24 discussions with the Department.

1 That gives people a real incentive to pay.
2 They can actually work their way out of the 20 or
3 30 years of debt that some people have accrued.

4 Finally, at the end of the day, there is
5 three big sticks. One I've already mentioned.
6 You have got to maintain your current taxes. This
7 is not the rolling default bill where we will let
8 you pay on your back current taxes right now and
9 then we will kind of stick 2015 in their when we
10 get there. You have got to maintain the
11 agreements.

12 Secondly, they have got to pay in a timely
13 manner. If you pay late three times in a row or
14 three times over a period of time, you can default
15 on this agreement. That gives people some
16 flexibility. But if they engage in a consistent
17 pattern of paying late, paying late and
18 essentially not paying, they will default on this
19 agreement.

20 And the really big stick here is, you only
21 get one of these statutory agreements. I know the
22 Department is very concerned about their
23 discretion. This sets up a framework and some
24 core principles for someone to come in. And no

1 matter where they are, get the same agreement the
2 first time. If they keep these agreements, they
3 get some benefits. But if they fail to pay or
4 they pay late or they don't pay their current
5 taxes, there is no second bite at a right to a
6 statutory agreement. At that point, the
7 Department has discretion.

8 I imagine in the future I will be spending
9 some time on the phone begging the Department
10 for -- to let some little old lady have a second
11 agreement, give her another chance. But it will
12 be at the Department's discretion. What we have
13 done here is give people a fair shot the first
14 time to step up and work their way out of debt in
15 a way that they can do because it's tied to their
16 income.

17 The last stick is the one that you've
18 already heard about. The bill does step up and
19 say that there will be commencement of
20 foreclosure. I can tell you after sitting with
21 the Department for six months discussing this, I
22 have no doubt they are going to step up and
23 foreclose on people. But they are not interested
24 in taking family homes if they can get paid.

1 What I do disagree with in this bill is the
2 concept that if you breach, there must be a
3 foreclosure within one year. I don't know that
4 you can compel a lawyer to not do his due
5 diligence in that he or she must file an action in
6 one year. I'm also not sure it's realistic. I
7 think if you've got 24,000 delinquent residential
8 properties in Philadelphia, imagine the Department
9 trying to file 24,000 or even half that 14,000
10 foreclosures in the next year or even two years
11 from now as this rolls out. I'm not sure that's
12 realistic.

13 I think we do need to have clear notice and
14 an expectation that people will be foreclosed on.
15 And unfortunately, from my perspective, we are
16 going to go through a painful period of people
17 seeing houses foreclosed for taxes for the first
18 time in decades and seeing their neighbors lose
19 their homes and the word will get out.

20 What we need to do is set up a system so
21 that they have a chance to step up, pay. And the
22 last thing, if they need the help, get to housing
23 counseling agency or a legal service agency to get
24 assistance in getting into an agreement. You know

1 your constituents. Some of them are going to need
2 an advocate to step up and help them fill out the
3 applications, someone to help them when they are
4 denied an agreement and they don't understand why.

5 If you put this bill altogether, I think it
6 strikes a fair balance. Homeowners get a fair
7 chance to save their homes. The City eventually
8 says you have had your one bite of the apple, it's
9 time to pay us or we're going to foreclose.

10 I would urge you to vote on this bill in
11 favor of it today.

12 COUNCILMAN GREEN: Thank you very much for
13 you testimony. And you did steal a little bit of
14 my thunder in that I was going to acknowledge
15 Sophie Bryan, my Chief of Staff and Stacie Graham
16 who stepped up for her, my former Legislative Aide
17 my former Chief of Staff and now Todd Baylson and,
18 of course, Jenn Kates has been steady throughout
19 this entire process who works for Maria
20 Quinones-Sanchez' office and has done tremendous
21 work with you and everybody else in the working
22 group.

23 I also agree with you completely that the
24 cooperation and working relationship with the

1 Department of Revenue and the Law Department
2 through this process has been phenomenal. And
3 even though we don't quite agree on everything
4 with them, we're going to continue to work with
5 them on this matter.

6 So, thank you for acknowledging everybody
7 in the process, also.

8 I know Councilmember Tasco has a question
9 and then Councilmember Squilla.

10 Councilmember Tasco.

11 COUNCILWOMAN TASCO: I don't have a
12 question as much as a statement.

13 Because I was speaking to a young lady the
14 other day, and she was asking me about her taxes
15 going up. And she is in a community where she
16 bought her house for a very low price, but now
17 it's a gentrified neighborhood and taxes have gone
18 up from like 1,200 to 3,500. She said, well, can
19 I do monthly payments? And I said, they don't
20 have that. She does not have the income to pay
21 that out in one lump sum.

22 What I've often tried to get the Revenue
23 Department to understand is how -- it may be
24 difficult because I know we need the money and

1 have to have a predictability of income.

2 How can we figure out a way for people to
3 pay their taxes monthly?

4 I know it was very shocking to me to come
5 from a mortgage payment where your taxes are
6 deducted in your mortgage payment each month and
7 you are used to that. Then of course your house
8 is paid off and then you get this bill and you
9 have to pay it by a certain date. Maybe you have
10 it. You don't have it. You have to plan for it.

11 That is another issue I raise in terms of,
12 I think if we can get people to pay monthly, then
13 you prevent them from being delinquent. And it
14 moves forward as opposed to working backwards.

15 MR. WILSON: Can I speak to that?

16 COUNCILMAN GREEN: Yeah.

17 MR. WILSON: I would agree. In fact, I've
18 been doing mostly private mortgage foreclosures
19 for ten years. I'm generally very nervous when
20 banks talk about having homeowners authorized
21 electron automatic deductions on their mortgage
22 payments because the payment comes out on the
23 first but they don't get their Social Security
24 check till the sixth. And the check bounces and

1 they fall behind and their is a foreclosure.

2 In the tax world, I've actually decided I
3 feel the reverse. I think it would be a terrific
4 idea if it was possible for seniors to set up
5 automatic, I guess it would be credits -- I've
6 been studying up a little bit on electronic
7 payments -- from their accounts to the current
8 accounts and a separate, I think it would have to
9 be, account for delinquent taxes.

10 So a lot of my clients, a lot of the issues
11 are they are seniors or they may have mental
12 deficiencies or mental disabilities. One of the
13 best ways for the City to set up a steady stream
14 of revenue and make sure defaults don't happen
15 would be an automatic monthly credit that goes
16 from their account after their benefits or
17 whatever income comes in directly to the City's
18 account.

19 As long as that could be accurately tallied
20 and citizens had access to payment history, I
21 think that would be an excellent idea. And it
22 would probably increase the collection rate in the
23 City astronomically.

24 COUNCILWOMAN TASC0: Thank you.

1 COUNCILMAN GREEN: Councilmember Squilla.

2 COUNCILMAN SQUILLA: Yes. Thank you so
3 much for your testimony.

4 Are you aware that the State legislation
5 who is introducing a bill in the Commonwealth for
6 a payment plan option at all?

7 MR. WILSON: There is in -- I believe it
8 was the package of tax relief bills that
9 Councilman -- I'm sorry, just left my head -- the
10 head of Council put into Harrisburg a provision to
11 authorize installment payment agreements in the
12 City of Philadelphia. I believe Council already
13 has that authority under the Municipal Claims Act.
14 But yes, that installment language is out there.

15 COUNCILMAN SQUILLA: So, you believe at
16 this point then that a Philadelphia citizen can
17 enter into a installment plan with the City no
18 matter what the income level is or no matter what
19 their basis for wanting an installment plan on
20 their taxes are?

21 MR. WILSON: Well, there's not a system for
22 it the way we are proposing here today. But
23 yes -- there actually is for current taxes. I
24 think that the Revenue Department does a very good

1 job in helping people get into installment
2 agreements on their current taxes. It's the
3 delinquency world where what we don't have is a
4 system of how do I get into an installment
5 agreement on my delinquency taxes.

6 I thought what you were asking me was does
7 Council have the authority to set that up. And
8 yes, I believe you do.

9 COUNCILMAN SQUILLA: Okay. Also, I really
10 appreciate the work that you do.

11 What is the number of people who, I guess,
12 go through your system for help? Do you have an
13 actual count of how many people you --

14 MR. WILSON: For just taxes or in general?

15 COUNCILMAN SQUILLA: Yes. Just for taxes,
16 delinquency taxes.

17 MR. WILSON: Well, we -- I actually did
18 track -- I do almost all the tax foreclosure cases
19 that come into our office. It's not something
20 that we've been advertizing until the last two or
21 three years. Just in the last twelve months
22 between Philadelphia Legal Assistance and
23 Community Legal Services, 570 people have come to
24 our offices.

1 COUNCILMAN SQUILLA: In just a few months?

2 MR. WILSON: Twelve months.

3 COUNCILMAN SQUILLA: And I believe that
4 number will increase dramatically with our new
5 system going into effect. That will have a lot
6 more people that may be not able to pay their
7 taxes. And hopefully, you guys will be able to
8 handle the challenge of --

9 MR. WILSON: I would agree. And I will say
10 this, my boss' Executive Director will appreciate
11 it. I would agree. And we currently have a
12 contract with the City to assist homeowners facing
13 private mortgage foreclosures and to work with
14 counselors and advise them on those cases in the
15 diversion program.

16 I think one thing Council should think
17 about is funding a similar contract, maybe as a
18 pilot project, for tax cases. I would be happy to
19 take the referrals. I think it's reasonable to
20 say at some point, especially if the volume picks
21 up, somebody has to pay me to do my job.

22 COUNCILMAN SQUILLA: You're not going to do
23 it for nothing?

24 (Laughter)

1 MR. WILSON: I have done it so far for
2 nothing.

3 COUNCILWOMAN TASC0: He may get behind on
4 his taxes.

5 (Laughter)

6 COUNCILMAN GREEN: Thank you very much.
7 Could you elaborate on installment
8 agreements that are for current taxes sort of in
9 response to Councilmember Tasco's question.

10 MR. WILSON: You might want to ask the
11 Commissioner about installment agreements for
12 current taxes. But I would be happy to.

13 What was your question?

14 COUNCILWOMAN TASC0: Are you saying that
15 currently people and homeowners can have a monthly
16 payment to pay their taxes? Their current taxes?

17 MR. WILSON: It's -- I think it's a little
18 ambiguous whether you can do it electronically. I
19 think it's clear if you want to do it by credit
20 card, you can call in each month and make a
21 payment.

22 COUNCILWOMAN TASC0: No. No. No. No.

23 MR. WILSON: If you want to get into an
24 installment agreement, a regular will I get a

1 monthly bill, homeowners, especially seniors,
2 there is actually legislation. It's in the
3 section that you are looking to amend. Seniors in
4 particular are allowed to enter into an
5 installment agreement currently between eight an
6 twenty installments on their current taxes. And I
7 don't I think there is legislation for other
8 people to get into installment agreements on
9 current taxes. But in my experiences, they are
10 generally able to.

11 COUNCILMAN GREEN: Just by requesting them
12 from the Department of Revenue, they can enter
13 into installment agreements. In particular, would
14 you discuss the senior installment agreements that
15 are part of this legislation.

16 MR. WILSON: This current bill, I admit I
17 have read that but I wasn't focused on that
18 obviously. My focus is the delinquencies. There
19 really are two pieces of the pool here.

20 We need you to take care of your delinquent
21 payments and we need you to maintain your current
22 taxes. What the law -- the code, the Philly Code
23 currently provides for is low income seniors are
24 eligible to enter into installment agreements on

1 their taxes. I believe the bill currently allows
2 seniors to get into a payment agreement between
3 eight installments and twenty agreements. I think
4 the bill is proposing to amend to reduce that to
5 twelve months. Because in a sense, it doesn't
6 make sense to have someone pay out 2013 taxes in
7 twenty installments. And essentially, what do I
8 do about 2014 when I run into it in the 13th
9 month.

10 Typically in my experience, seniors get a
11 coupon book from the Department and send their
12 payment in with the coupon book every month. What
13 I think would be a big improvement on the system
14 would be seniors being able to make an electronic
15 transfer automatically out of their bank accounts
16 rather than worrying about payments or coupon
17 books or going down to the Revenue Department.

18 COUNCILMAN GREEN: Thank you. That is
19 something we will look at.

20 Councilwoman Brown.

21 COUNCILWOMAN REYNOLDS BROWN: Good morning.

22 Let me first go on the record to commend
23 Councilman Bill Green and Councilwoman Maria
24 Quinones-Sanchez for looking at this issue five

1 years ago. And now that scenario is real as we
2 look to see what we're faced with now around AVI.

3 You say that you captured or was engaged
4 with 500-plus cases?

5 MR. WILSON: Uh-huh.

6 COUNCILWOMAN REYNOLDS BROWN: In the last
7 year?

8 MR. WILSON: In the last twelve months.

9 COUNCILWOMAN REYNOLDS BROWN: In the last
10 twelve months. So, are you a solo act over there
11 at CLS, or are there other professionals doing
12 what you do?

13 MR. WILSON: I am essentially a solo act.
14 We have intake at our office. It's not that they
15 come in and only see me. Once the file is taken
16 in on intake, if someone is going to represent
17 them in a tax case or seek to help them get into a
18 payment agreement or advise them or file a
19 response in a common pleas action, it's me.

20 We simply don't have the resources to
21 divert the lawyers we have doing private
22 foreclosures now into tax foreclosures.

23 COUNCILWOMAN REYNOLDS BROWN: Okay. So
24 ultimately, lands on your desk. So when you

1 consider and anticipate the concerns raised by
2 Councilman Kenyatta Johnson and Councilman
3 Squilla, there is every evidence that this is
4 going to uptake exponentially.

5 Who is your contract with? Your current
6 contract with? You say with the City of
7 Philadelphia?

8 MR. WILSON: It's, I think, in particular
9 it's OHCD that we have the contract with.

10 COUNCILWOMAN REYNOLDS BROWN: Okay.

11 MR. WILSON: The head of our unit Beth
12 Goodell typically negotiates the contract, so I
13 couldn't tell you the details.

14 COUNCILWOMAN REYNOLDS BROWN: I see.

15 MR. WILSON: But I believe it's with the
16 Office of Community Housing and Development.
17 Because they are the ones who organize the housing
18 counselors.

19 COUNCILWOMAN REYNOLDS BROWN: Okay. And
20 so, you have spoken to one conceivable practice
21 that we as a City could consider to protect in a
22 strong way senior citizens.

23 Do you know of other best practices around
24 the country in a similarly situated municipalities

1 that have tackled this issue and found ways to
2 protect low income persons and seniors?

3 MR. WILSON: I think there is two parts to
4 your question. Are there other practices? And
5 there are. And are there a consolidated list of
6 best practices?

7 COUNCILWOMAN REYNOLDS BROWN: Uh-huh.

8 MR. WILSON: I've started to research that.
9 I would think that the Commission on State and
10 Local Government would have compiled a list of
11 best practices, this is for tax collection. I
12 haven't been able to found that.

13 COUNCILWOMAN REYNOLDS BROWN: Is that
14 right?

15 MR. WILSON: I admit, I have had a lot on
16 my plate locally, so I haven't looked
17 exhaustively. But I haven't been able to find
18 best practices.

19 In terms of practices that are out there,
20 yes. There is a whole variety of things that are
21 on the table. Some of the tax reliefs options
22 that you are already considering in terms of
23 gentrification, I think the deferral for seniors
24 is something to think about. I think the

1 Homestead Exemption is a good idea. Some of the
2 other things that are out there.

3 In Genesee County, they --

4 COUNCILWOMAN REYNOLDS BROWN: You say
5 Genesee?

6 MR. WILSON: Genesee County, which is in
7 Michigan.

8 COUNCILWOMAN REYNOLDS BROWN: Oh, okay.

9 MR. WILSON: They basically had a smaller
10 version of the problem we have here. They moved
11 up to, I believe, a 99 percent collection rate.
12 One of the things they did was hire legal services
13 to literally go door to door to do outreach to
14 taxpayers. I don't think that's going to happen
15 in Philadelphia, but that's the kind of creative
16 thinking.

17 There is a Massachusetts statute that
18 allows homeowners literally to work off their
19 property tax bill working for different municipal
20 services like libraries and other agencies.

21 COUNCILWOMAN REYNOLDS BROWN: Is that
22 right?

23 MR. WILSON: Generally, what happens is
24 that as you trend west across the United States,

1 you see more and more just straight exemptions for
2 low income homeowners for seniors for that kind of
3 thing. Just a simple statement of at the age of
4 72, you are exempt from property taxation or you
5 have a deferral until you are deceased.

6 I don't think that we are going to see a
7 straight exemption. I am in favor of it, but I
8 don't believe that's going to happen in
9 Philadelphia.

10 COUNCILWOMAN REYNOLDS BROWN: Well, your
11 testimony has been quite informative. And
12 additional yellow flags have gone up for us as
13 members as we face this AVI challenge.

14 Thank you for your testimony and for your
15 good work.

16 MR. WILSON: Thank you.

17 COUNCILMAN GREEN: Thank you.

18 (Applause)

19 COUNCILMAN GREEN: Please proceed.

20 MR. WILSON: If I can just say one word
21 about the AVI situation and how it ties into this
22 in my view.

23 AVI, I actually agree with the
24 reassessments. You asked Mr. Winfre earlier what

1 they had seen at PUP in terms of people getting
2 the new notices. We are having people coming in
3 left and right with the notices panicking because
4 they believe their taxes are going to triple and
5 double. We all understand that the tax rate has
6 not been set yet, and that's not necessarily going
7 to happen.

8 What my experience is, is that with the
9 Homestead Exemption, homeowners are either going
10 to either see a small decrease in their tax bill
11 if they are living at 30 percent of area median
12 income or 50 percent or maybe a 100 to 200 dollar
13 increase. But there are a few people who have won
14 the reverse lottery.

15 I have one client who was actually referred
16 to me by the City who unfortunately has delinquent
17 taxes, needs an agreement like this.
18 Unfortunately, under the AVI proposition, her tax
19 bill is going to triple. Given her income, I
20 don't know how she is going to pay that. She is a
21 senior. I think the gentrification bill or a
22 deferral bill would help her stay in her home.
23 But those are the folks, this is the last stop
24 for. Even with the changes you are currently

1 making. Some people are going to fall behind.

2 Hopefully, we can get to place where nobody
3 is ten or twenty years behind in the future or
4 someone is two years behind. By then they are in
5 my office. But on the way there, we need
6 something like this as the last stop.

7 COUNCILMAN GREEN: I will say this to my
8 colleagues and other people in the audience who
9 have friends in the State Senate or in the General
10 Assembly. That is, there is a really important
11 piece of legislation that could help that woman
12 you just talked about. And that is Means Tested
13 Gentrification Relief. Which is -- I don't know
14 what is happening to it. It's been stalled up
15 there. It hasn't happened.

16 But if we pass that, that person will be
17 protected at very little cost to other
18 Philadelphia taxpayers because we're not applying
19 gentrification relief to people in Society Hill
20 and Rittenhouse Square who don't need it, which is
21 the only way we can do it today.

22 So, that bill I would -- I wish we could
23 get some action on from our delegation in
24 Harrisburg.

1 Thank you.

2 MR. WILSON: Thank you.

3 COUNCILMAN GREEN: Thank you. I do want to
4 note for the record that you can enter into an
5 installment agreement under this legislation today
6 if you are a senior or if you are up to 50 percent
7 of AMI and it's automatic. And this legislation
8 requires it be made available, so your -- for the
9 current year.

10 COUNCILWOMAN TASC0: Delinquent?

11 COUNCILMAN GREEN: For the current year
12 taxes. Your constituents if they are below
13 50 percent of AMI, will be able to get a -- if we
14 pass this legislation, a current year installment
15 agreement.

16 Thank you.

17 Are there any other people here to testify
18 on Bill 120054?

19 Seeing none, we will move from the Public
20 Hearing into the Public Meeting.

21 And I would ask Councilmember Tasco to
22 please move the amendments to Bill 120054.

23 COUNCILWOMAN TASC0: I move for the
24 adoptions of the amendments to Bill 120054.

1 COUNCILMAN JOHNSON: Second.

2 COUNCILMAN GREEN: It's been approved --
3 the amendments to Bill 120054 have been approved
4 and seconded.

5 All in favor?

6 (Chorus of Ayes)

7 COUNCILMAN GREEN: Any opposed?

8 Seeing none, the amendments are approved.

9 I'd ask Councilmember Tasco to move Bill
10 120054 as amended.

11 COUNCILWOMAN TASCO: I move Bill 120054 be
12 reported out of Committee with a favorable
13 recommendation. And that the rules of Council --
14 as amended. And that the rules of Council be
15 suspended so this bill can be heard at Council's
16 next session.

17 COUNCILMAN GREENLEE: Second.

18 COUNCILMAN GREEN: It's been properly moved
19 and seconded that 120054 as amended be reported
20 from this Committee with a favorable
21 recommendation.

22 All in favor.

23 (Chorus of Ayes)

24 COUNCILMAN GREEN: Any opposed?

1 The ayes have it.

2 I would ask that Councilmember Tasco move
3 120 -- 121038.

4 COUNCILWOMAN TASCO: Is there an amendment?

5 COUNCILMAN GREEN: No amendments.

6 COUNCILWOMAN TASCO: I move that Bill
7 121038 be reported out of Committee with a
8 favorable recommendation. And that the Rules of
9 Council be suspended so this bill can be heard at
10 Council's next session.

11 COUNCILMAN GREENLEE: Second.

12 COUNCILMAN GREEN: It's been properly moved
13 and seconded that Bill 121038 be reported from
14 this Committee with a favorable recommendation.
15 And that the Rules of Council be suspended so that
16 it can be heard at our next session of council.

17 All in favor?

18 (Chorus of Ayes)

19 COUNCILMAN GREEN: Any opposed?

20 (No response)

21 COUNCILMAN GREEN: The ayes have it.

22 And that concludes the Public Meeting on
23 the bills just reported from this Committee.

24 Thank you everyone for your participation.

1 COUNCILWOMAN TASC0: Thanks.

2 (Committee on Finance Meeting concluded

3 at 11:18 a.m.)

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C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are
contained fully and accurately in the
stenographic notes taken by me in the
foregoing matter, and that this is a
correct transcript of the same.

Court Reporter - Notary Public

(The foregoing certification of
this transcript does not apply to any
reproduction of the same by any means,
unless under the direct control and/or
supervision of the certifying reporter.)

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