

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PUBLIC HEALTH AND
HUMAN SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, May 15, 2012
10:15 a.m.

PRESENT:

COUNCILWOMAN MARIAN B. TASCO, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

RESOLUTION 120180 - Resolution authorizing the
Council Committee on Public Health and Human
Services to hold hearings regarding impact of
Homeowners' Emergency Mortgage Assistance
Program on Philadelphia.

- - -

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COUNCILWOMAN TASC0: Good

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morning. This is a hearing on a

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resolution. Therefore, we do not need a

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quorum to begin. We're going to begin

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the hearing because we don't want to

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delay you all day, and as Councilmembers

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come in, we will recognize them.

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For those who are not on this

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Committee, most of them listen to it on

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the television or on the squawk box, as I

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call it. So they still get the flavor of

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the hearing.

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So I would like to have the

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Clerk read the resolution, please.

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THE CLERK: Resolution 120180,

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resolution authorizing the Council

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Committee on Public Health and Human

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Services to hold hearings regarding

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impact of the Homeowners' Emergency

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Mortgage Assistance Program on

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Philadelphia.

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COUNCILWOMAN TASC0: Thank you

24

very much.

25

Let me recognize the member of

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 the Committee, Councilman Greenlee, and
3 Councilman Curtis Jones, co-sponsor of
4 the resolution and also been very active
5 in this whole area of protecting our
6 citizens and consumer issues and housing
7 issues.

8 Let me just make a couple of
9 remarks and then we will begin with the
10 panels.

11 On February 7th, Governor
12 Corbett presented his proposed 2012-2013
13 budget to the General Assembly. In his
14 budget address, the Governor proposed no
15 funding for the Homeowners' Emergency
16 Mortgage Assistance Program, also known
17 as HEMAP. The proposed 2012-2013 budget
18 mirrored this year's budget when no
19 funding was provided for HEMAP.

20 Considering that this widely
21 successfully program has been used as a
22 national model to fight foreclosures and
23 keep homeowners in their homes, the end
24 of HEMAP is a true tragedy for our
25 constituents and the entire Commonwealth.

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2 In fact, HEMAP has served more
3 than 42,000 families from foreclosures.
4 In total, there have been \$442 million in
5 HEMAP loans, and more than 20,000 of
6 these loans have been repaid in full,
7 leading to a return of principal and
8 interest of more than \$246 million back
9 to the Commonwealth.

10 Without HEMAP, Pennsylvania
11 experienced a sharp jump in foreclosure
12 filings, and this rise is almost 24
13 percent higher than last year, and this
14 increase in foreclosures coincided with
15 the end of HEMAP.

16 Considering this negative
17 outcome, the purpose of today's hearing
18 is to examine the impact of loss of HEMAP
19 on Philadelphia. Due to the fact that
20 the financial impact per foreclosure is
21 over \$75,000 to the City, lenders and
22 homeowners in Philadelphia have filed
23 over 1,200 HEMAP applications between
24 2008 and 2010. It is important to
25 determine what the loss of this program

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2 means to Philadelphia.

3 Further, it is important that

4 City Council, a legislative body,

5 advocate to the Governor that HEMAP be

6 relaunched and that dedicated state

7 funding be restored to this program.

8 From this perspective, I urge you to call

9 on the Governor and the Attorney General

10 to use proceeds from the federal mortgage

11 loan servicing and foreclosure abuse

12 settlement to restore HEMAP. Through

13 this settlement, Pennsylvania is due to

14 receive \$266 million, of which 69 million

15 will be allocated to the Attorney

16 General's Office.

17 Considering that the 69 million

18 is unrestricted, many parties, from

19 housing advocates to State Representative

20 John Taylor, have stated that these funds

21 should be used to restart HEMAP.

22 Due to the fact that HEMAP has

23 enjoyed broad bipartisan support and has

24 assisted constituents from throughout the

25 entire Commonwealth, the relaunch of

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2 HEMAP is a more than appropriate use of
3 these settlement dollars.

4 And I'd like to say and think
5 that the Administration in Harrisburg
6 would know that it is just not
7 Philadelphia that has had a success and
8 help with housing foreclosures, but
9 across this state. When some of the
10 legislators look at requests for funding,
11 they only think of Philadelphia and that
12 we are the Sodom and Gomorrah of the
13 state. But Pennsylvania is a large state
14 and it's a diverse state, and diverse not
15 only economically, racially and all of
16 the aspects of diversity. Those folk who
17 live outside of Philadelphia,
18 particularly as you move further west,
19 have experienced the same foreclosure
20 issues that we have here in Philadelphia,
21 and foreclosures have basically impacted
22 folk of low-income status.

23 So I thank all of you for
24 coming here today. I want to thank you
25 for the work you've been doing to help

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2 restore this as you lobby in Harrisburg
3 and speak to other legislators across
4 this state. We hope to have your
5 testimony recorded today so that whatever
6 further action we take by this Council,
7 it comes based on information that you,
8 the experts, those of you who have
9 provided counseling and support, will be
10 able to help us draft our argument for
11 the state.

12 So thank you all again for
13 coming.

14 Let me recognize Councilmen
15 James Kenney and Kenyatta Johnson who are
16 here for this hearing.

17 Our first panel will be Cathy
18 Califano, Associate Director of The
19 Reinvestment Fund; Daryl Rotz, HEMAP
20 Director, Pennsylvania Housing Counseling
21 Agency; the Honorable Annette Rizzo,
22 renowned for her efforts in her program
23 to keep people in their homes, Judge,
24 Court of Common Pleas; and Deborah
25 McColloch, our own Director of OHCD.

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2 Would you all please come forward.

3 (Witnesses approached witness
4 table.)

5 COUNCILWOMAN TASC0: Is the
6 Honor on a time constraint? Do you need
7 to testify earlier?

8 JUDGE RIZZO: Soon, yes.

9 COUNCILWOMAN TASC0: Why don't
10 you come on up, because we know you have
11 to go to court.

12 JUDGE RIZZO: I heard your
13 order.

14 COUNCILWOMAN TASC0: No. I
15 have no idea why they're in that order.
16 Maybe Derek has a rationale for it, but
17 we're going to hear the testimony anyway
18 no matter what order.

19 JUDGE RIZZO: Well, the
20 unfortunate thing, I don't have handouts.
21 I don't have handouts like them.

22 COUNCILWOMAN TASC0: Okay.
23 Thank you very much. Why don't you
24 begin, and then we'll have our
25 out-of-town guest.

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2 Deborah, is that all right with
3 you guys?

4 MS. MCCOLLOCH: That's fine.

5 COUNCILWOMAN TASC0: Okay.

6 Thank you.

7 JUDGE RIZZO: Thank you so much
8 for that courtesy. Thank you,
9 Chairwoman.

10 Build it and they will come.
11 That was my opening line when Senators
12 Specter and Casey came to visit the First
13 Judicial District's Mortgage Foreclosure
14 Diversion Program back in the fall of
15 2008 when they came to see exactly how we
16 operate in the City of Philadelphia with
17 respect to stopping or at least slowing
18 down the flood of foreclosures in our
19 city.

20 On the marking of the
21 first-year anniversary of the program, we
22 had actually a little celebration of
23 sorts for all those who helped fuel the
24 program, and on the cake, it read "We
25 Built It and They Came."

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2 On the third-year anniversary
3 of the program, we say, "We Built It,
4 They Came and They're Still Coming."

5 Madam Chair and distinguished
6 members of the Public Health and Human
7 Services Committee -- and I would be
8 really fraught with despair if I didn't
9 mention as well my hero, Councilman
10 Curtis Jones, on this issue, who is
11 present here as well -- the fourth-year
12 anniversary of this program will be
13 marked next month and it will come to
14 pass, and with that, I say now more than
15 ever, we built it, they came and they are
16 in fact still coming.

17 I'm Judge Annette Rizzo. I
18 have the extreme honor and duty to
19 oversee the First Judicial District's
20 Mortgage Foreclosure Diversion Program
21 for this great city. I'm ever grateful
22 to lend my voice to the auspicious chorus
23 of individuals testifying before this
24 legislative body on the direct and
25 significant impact of the Commonwealth of

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2 Pennsylvania's HEMAP program on the
3 Diversion Program and, most importantly,
4 the citizens of this city.

5 Since inception of the
6 Diversion Program in 2008, I have had the
7 opportunity to speak about this program
8 in a variety of settings, public and
9 private, and even have brought the
10 Philadelphia story to the White House.

11 Now, in judicial settings when
12 I talk about the program, I mention it is
13 a program of effective case management.
14 In discussions regarding urban policy, it
15 is one really of community and
16 neighborhood stabilization. When I'm
17 talking about or in part of discourse on
18 social services for individuals, it truly
19 is a program of homelessness prevention.

20 Without fail, our program has
21 been viewed as the national model, not
22 because we say so, because it has been
23 said of us. It's been the first and one
24 of the most effective in fighting the
25 onslaught of personal and public

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2 devastation resulting from the
3 well-documented and unrelenting tide of
4 foreclosures caused by the home financing
5 meltdown.

6 I will leave with my fellow and
7 high distinguished panelists on this
8 panel as well as others to follow the
9 duty to share with you all the data, all
10 the drill-down of all the important facts
11 regarding this persistent issue, with the
12 clear message that the problem ain't
13 going away.

14 But what I want to share with
15 you is that the Diversion Program has
16 been one of the lights in the sea of
17 turmoil and uncertainty for our city for
18 very specific reasons, and many have to
19 do with the absolute need to continue and
20 fund this Commonwealth HEMAP program.

21 The FJD Diversion Program
22 mandates that no homeowner in
23 Philadelphia facing foreclosure will lose
24 their home in which they reside without
25 first going through a conciliation

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2 conference with their lender in order to
3 right the ship and keep that person in
4 their home. Now, unlike the majority of
5 similar programs in the country where
6 homeowners may choose to opt in to such
7 discussions, we are mandatory, and that's
8 our story and we are sticking to it.

9 But, more importantly, we leave
10 nothing to chance. In ultimate
11 collaboration and partnership with Mayor
12 Nutter, his staff, this extraordinary
13 legislative body, OHCD, some 30 housing
14 counseling agencies with their talented
15 counselors, a team of outreach workers,
16 court staff, a well-dedicated and
17 informed team staffing the Philly
18 Hotline, as well as an army of some 400
19 lawyers serving as volunteer counselors
20 for the homeowners and Judge Pro Tems, a
21 well-orchestrated ballet is staged each
22 and every Thursday in Courtroom 676 in
23 this building.

24 We have played host to over
25 18,000 conferences, with a show rate of

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2 over 70 percent of our citizens who are
3 notified. Of those homeowners who
4 participate, some 34 percent reach
5 resolution with their lender servicers.
6 But here's the most important point: Of
7 those who do reach resolution, over 85
8 percent remain in their homes over 18
9 months to two years. That is
10 sustainability, and that is what we are
11 all about.

12 We have even gone beyond that
13 to provide needed financial literacy
14 training to those homeowners in the
15 program under a new and unique initiative
16 funded by PNC Bank to make sure that when
17 our homeowners get the deal, it sticks,
18 to give them new tools to have them look
19 prospectively at their finances in a
20 different and healthy way. And we're
21 very proud that we have started that as
22 what I would call a second-generation
23 issue to really help our homeowners in
24 the City.

25 Tools. Tools. Our program is

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2 really fueled by the fact that we all
3 have these resources working toward the
4 same goal, to keep people in their homes.

5 It is all about the
6 face-to-face, that one-on-one and
7 counselor that makes one homeowner's
8 story separate and distinct from any
9 other. It is the chance to have that
10 pause to look in our onus about how to
11 make it work for that homeowner, that
12 family.

13 So tools. We have the HAMP
14 model, of course, from Washington, loan
15 modifications, forbearance agreements,
16 deeds in lieu, repayment plans, all tools
17 in this arsenal. How fortunate we have
18 been in the past to have as a major tool
19 a sure-win program in HEMAP, the first of
20 its kind in the country and the literal
21 template for the federal relief program
22 EHLF.

23 HEMAP has consistently provided
24 funding; more importantly, hope, for
25 countless citizens of Philadelphia to get

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2 that extra upfront assistance to make the
3 deal happen. HEMAP has been so effective
4 in its legislative intent by being truly
5 the safety net for those who have faced
6 catastrophic events through no act of
7 their own, it is really giving a second
8 chance to those in dire need who really
9 just need that bridge to get to that
10 solid ground.

11 Now, I want to divert just a
12 bit to tell you that with the Emergency
13 Homeowner Loan Program, of which HEMAP
14 was the template, as I mentioned, I'm
15 proud to share with you -- and this is
16 just an example of what we do here in
17 Philadelphia and how vital these programs
18 are -- is that when the EHLP program came
19 into being, it's obviously life was
20 foreshortened by regulations having to be
21 passed. Pennsylvania was one of the few
22 states to receive funding beyond its
23 original allocation and was able to reach
24 more homeowners with sustainable relief
25 over any other state which was given

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2 funding.

3 Now, here's my Philly pride
4 coming through, because it forces me to
5 share with you that right here in this
6 very building, more homeowners were
7 helped than anywhere else in the state,
8 making us the recipients of more federal
9 funding than any other locale in the
10 country under the EHLP program. It
11 didn't just happen; it happened because
12 it shows the power of owning it, owning
13 it of a well-oiled machine, made up of
14 extremely dedicated housing counselors
15 working nights and weekends to not lose
16 that funding, of saving homes one address
17 at a time. And really hats off to
18 Deborah McColloch, Hiram Carmona and the
19 wonderful army of housing counselors, who
20 met the challenge. We kept it going and
21 they fueled it. And I'm really proud
22 about that statistic, and I want us to
23 tell everyone about it. That's what they
24 say: When you have something proud that
25 you did, tell everybody about it. I'm

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2 telling you about it.

3 Well, EHLP is history, and that
4 is why at no other time in this history
5 is such a well-reasoned and purposeful
6 program such as HEMAP needed to continue.
7 More than now, in the wake of
8 unprecedented unemployment and economic
9 downturn felt beyond our local region and
10 even national borders, time here does not
11 permit the sharing of far too many
12 anecdotes and stories about individual
13 homeowners who either have been reaping
14 the benefits from HEMAP or EHLP or have
15 now come to the courtroom and are
16 deprived of HEMAP relief when it could
17 have been the answer to save that home.

18 It is, therefore, essential,
19 critical, of utmost importance that HEMAP
20 continues and thrives as an essential
21 self-funding tool in our arsenal to bring
22 that needed relief. I see the difference
23 it makes every week in the courtroom when
24 I have to face these homeowners and look
25 into those eyes. I don't have HEMAP to

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2 offer at this point, and it's a very
3 frustrating situation, as you can
4 imagine.

5 I, therefore, commend this
6 legislative body for taking the steps to
7 hold these hearings pursuant to the
8 resolution at hand in support of HEMAP
9 funding. You have always been at the
10 forefront to champion those initiatives
11 which protect the sanctity of our local
12 homeowners, as a city built on the
13 strength of neighborhoods and
14 homeownership, however grateful I am as a
15 fellow public servant and, more
16 importantly, as a citizen of this city,
17 for your unwavering support of this vital
18 program. And, again, I have to mention
19 Councilman Curtis Jones in that regard
20 and Councilman Quinones as well for
21 supporting, of course, her district in
22 all she's done. I've never had better
23 partners than in this legislative body,
24 and, of course, led by your efforts,
25 Chairman Tasco. It's really been

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2 something.

3 I thank you for the opportunity
4 to share my thoughts with you. I'm
5 available at any time, and I suggest all
6 of you come a calling if you want to see
7 the ballet in motion every Thursday, 9
8 and 1 o'clock in Courtroom 676.

9 And as I end every comment,
10 whether I speak in a public or
11 public-private conference, I say to all
12 of us, all of us in sincere hope and
13 thought, may the force be with all of us.

14 Thank you for your time.

15 COUNCILWOMAN TASC0: Thank you.

16 (Applause.)

17 COUNCILWOMAN TASC0: Thank you
18 for your testimony, and we appreciate
19 your work. We appreciate you sharing it
20 with the rest of the country, because we
21 get feedback through the National League
22 of Cities of the work that's going on in
23 Philadelphia.

24 So thank you for your
25 leadership and your support.

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2 Any questions?

3 (No response.)

4 COUNCILWOMAN TASC0: Any

5 comments?

6 (No response.)

7 COUNCILWOMAN TASC0: Thank you

8 very much.

9 JUDGE RIZZO: I can read it in
10 another language.

11 COUNCILWOMAN TASC0: I did have
12 a couple of questions for you, if you
13 have a minute.

14 JUDGE RIZZO: Oh, I'm sorry. I
15 apologize.

16 COUNCILWOMAN TASC0: We do
17 notice that there are some people who may
18 be in foreclosure who have -- and there's
19 been a wonderful outreach program to go
20 knock on doors to get people to come to
21 address their issue. Do you have any
22 sense of why some don't respond?

23 JUDGE RIZZO: Well, I think --
24 and I've actually had these discussions
25 with the outreach teams. I guess it was

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2 more the reverse, why is it so
3 successful, when I speak to colleagues
4 across the state and the country of why
5 they can't get people to the table.

6 For those who don't respond,
7 there's several things. It could be they
8 actually did vacate the premises, so it
9 was just they have just given up hope in
10 that regard. So we don't have that
11 opportunity to have the face-to-face to
12 bring them in.

13 For those who don't, it could
14 be some infirmity or it could be that,
15 frankly, they're just inundated with
16 notices from their lender servicers or
17 they are contemplating bankruptcy or have
18 connected with someone who in fact has
19 suggested bankruptcy, in which case they
20 say or have been counseled to take the
21 position that we don't need to
22 participate because we're taking this
23 other route.

24 The interesting thing about
25 that is, this is not, as I indicated, an

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2 opt-in program. We are an opt-out
3 program. If you don't come to the table,
4 then you have chosen not to take up that
5 step to reap the benefit of what we have
6 to offer. But it is mandatory. And
7 unlike other jurisdictions where they are
8 not judicially driven foreclosure states,
9 we are. So, therefore, in violation of a
10 court order, you must appear for your
11 conference.

12 It does bring ramifications,
13 that then the lender servicer goes on to
14 enter what's known as a default
15 judgement, and then the case takes its
16 natural progression to Sheriff sale.

17 So we really do try to capture,
18 and I think the beauty of our outreach is
19 the teams rely and as Karen Brown's
20 efforts, for which we're grateful, she
21 uses the local NACs and really citizens
22 of that neighborhood and community who
23 know them and, therefore, have an
24 openness to receive the knock on the door
25 and have a brief discussion, not

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2 necessarily to pry into personal matters,
3 but just to say, Did you get served, did
4 you call the hotline. I think our
5 message of one entry point is really very
6 useful in the sense of all singing the
7 same song, just call the hotline. Once
8 we triage you in that system, then we're
9 off to really attach and actually can
10 offer the services.

11 But I have to tell you, a 70
12 percent or more rate of return is pretty
13 good.

14 COUNCILWOMAN TASC0: Yeah.

15 JUDGE RIZZO: Pretty good, in
16 what I've seen in terms of statistics to
17 compare.

18 COUNCILWOMAN TASC0: Okay. Any
19 other questions, comments?

20 (No response.)

21 COUNCILWOMAN TASC0: Thank you.

22 Let me recognize Councilwoman
23 Cindy Bass, who has joined us.

24 JUDGE RIZZO: I just want to
25 add, good to see you. And I think

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2 probably the first five hours that you
3 were sworn, you came to visit us in 676,
4 and for that, we're grateful for your
5 interest to be educated on what we do and
6 how you've also supported. So thank you.

7 COUNCILWOMAN BASS: Absolutely.
8 Thank you.

9 COUNCILWOMAN TASC0: Thank you
10 very much for your testimony.

11 JUDGE RIZZO: Always good to
12 see you. I'm always available. You know
13 that.

14 COUNCILWOMAN TASC0: Oh, I know
15 that.

16 JUDGE RIZZO: Thank you for
17 your support and partnership.

18 COUNCILWOMAN TASC0: Okay.
19 Thank you. Appreciate that.

20 Now we'll have Mr. Daryl Rotz
21 from the HEMAP -- he's the HEMAP
22 Director, Pennsylvania Housing Finance
23 Agency.

24 MR. ROTZ: Good morning. My
25 name is Daryl Rotz and I am the Director

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2 of Pennsylvania's Homeowners Emergency
3 Mortgage Assistance Program. I have been
4 with HEMAP since it began. I saw the
5 beginning of HEMAP. I saw it grow to
6 become a well-oiled machine, and I also
7 saw it end. But hopefully I will see it
8 reemerge again very soon.

9 Today, I just want to -- first
10 off, I want to thank you for the
11 opportunity to be here today, and I want
12 to just give you some accomplishments of
13 the program and in the beginning just a
14 little brief history of HEMAP.

15 In the early 1980s, the
16 Commonwealth of Pennsylvania was
17 experiencing a severe recession and a
18 sharp downturn in economic activity, much
19 like we've just experienced. I believe
20 the unemployment rate was even higher
21 back in the '80s. I believe it was
22 around 11 or 12 percent back then.

23 As a result of these adverse
24 conditions, the ability of homeowners to
25 make their mortgage payments had

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2 deteriorated and resulted in widespread
3 foreclosure. To address this issue, the
4 Legislature created the Homeowners
5 Emergency Mortgage Assistance Program
6 with the passage of Act 91 of 1983. The
7 program was the first of its kind in the
8 nation, and its mission was to prevent
9 widespread mortgage foreclosures caused
10 by circumstances beyond the homeowners'
11 control.

12 The creation of HEMAP resulted
13 in a major change in the foreclosure
14 process in Pennsylvania. Prior to its
15 implementation, lenders could foreclose
16 on a delinquent mortgage with minimal
17 restrictions. Lenders initially opposed
18 the effort and felt that the HEMAP
19 program would only serve to slow the
20 foreclosure process and increase their
21 costs. Admittedly, there were some
22 growing pains early on as PHFA had to
23 educate lenders and the courts about a
24 program that became law on December the
25 23rd, 1983. Over time, however, the

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2 lending community has recognized the
3 efficient operation of the program and
4 has embraced the benefits of giving a
5 family a second chance and avoiding a
6 costly Sheriff sale.

7 HEMAP is unique in the fact
8 that it can help people from any
9 socioeconomic background. It doesn't
10 matter what your income was. There's no
11 income or home value limits, and there's
12 no equity requirement. Simply, if you're
13 delinquent on your mortgage due to
14 circumstances beyond your control and if
15 you can demonstrate that you have a
16 reasonable prospect of being able to
17 resume your full mortgage payments within
18 either a 24- or 36-month time period, you
19 could qualify for a HEMAP loan.

20 Since the inception of the
21 HEMAP program in 1983, over 45,000
22 families have received mortgage
23 assistance. Countless others have
24 benefited simply by the stay of
25 foreclosure. For those individuals, when

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2 they get their Act 91 notice, if they
3 apply in a timely manner, there is a stay
4 of foreclosure. So they get the notice
5 when they're 60 days delinquent. They
6 have 30 days to get to a counseling
7 agency. The counseling agency has 30
8 days to get it to us, and we have 60 days
9 to make a decision. You know, the 60-day
10 delinquency and the whole process itself,
11 by the end of that, they've had a
12 six-month time period where the lender
13 couldn't proceed with any action to
14 enforce that mortgage. So there are a
15 lot of people that work things out on
16 their own and may not apply for HEMAP or
17 they do apply and then still work things
18 out on their own. But that stay of
19 foreclosure is really critical, in our
20 opinion, at giving people enough time to
21 maybe choose some other option even other
22 than the HEMAP program.

23 Without this program, many
24 would have lost their homes and faced
25 uncertain housing circumstances. With

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2 demands for subsidized housing being
3 great, these individuals may have become
4 homeless.

5 Besides being a homeless
6 prevention measure, HEMAP is also a
7 bargain. The cumulative average HEMAP
8 loan is \$11,100, compared to the average
9 loss on a foreclosure being anywhere in
10 the vicinity of 30,000 to 50,000 or more.
11 In addition, HEMAP is a loan that gets
12 repaid. These figures support the fact
13 that HEMAP is a cost-effective way of
14 helping homeowners avoid foreclosure.

15 In addition to being a homeless
16 prevention measure, HEMAP also keeps
17 families together, it reduces crime and
18 preserves neighborhoods. Financial
19 problems are a major contributor to
20 divorce, crime and deterioration of
21 neighborhoods. HEMAP keeps families in
22 their homes and provides them the time
23 needed to reestablish their financial
24 well-being. The program affords
25 homeowners the opportunity to pursue job

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2 training and educational pursuits while
3 receiving assistance. HEMAP provides
4 hope and opportunity to those
5 experiencing financial problems.

6 The program has distributed
7 over -- has disbursed over \$500 million
8 in loan disbursements. It has received
9 over 245 million in state appropriations,
10 and it has received over 268 million in
11 repayments from homeowners who have been
12 assisted.

13 It is safe to say that HEMAP is
14 one of only a few government programs
15 that can boast that it has received in
16 repayments more than what the government
17 has allocated to it.

18 Of the 45,300 homeowners
19 helped, over 21,000 have already paid off
20 their HEMAP loan in full. Nearly 50
21 percent of those helped have paid back
22 their HEMAP loan. That's truly
23 incredible, especially when you consider
24 the financial circumstances that these
25 people had. They were facing

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2 foreclosure. They may have been
3 unemployed or underemployed. They got
4 back on their feet and they made good on
5 their HEMAP loan. It's just -- it's a
6 real testament to how well this program
7 has worked.

8 Since the beginning of HEMAP in
9 1983, the program has saved 7,524
10 Philadelphia County families from
11 foreclosure and has disbursed over \$67
12 million in loan disbursements to
13 Philadelphia County residents.

14 From 2006 through 2010,
15 Philadelphia County had a steady increase
16 in applicants applying for assistance,
17 and I'll give you these statistics. In
18 2006, we had 1,636 HEMAP apps; in 2007,
19 1,869; 2008, 2,215; and in 2009, 2,318;
20 and in 2010, 2,530. And in 2011, we only
21 had 987 HEMAP applications, but that was
22 in a six-month time period, because HEMAP
23 ended June 30th, 2011. But we also had
24 over 2,000 EHLP applications, Emergency
25 Homeowner Loan Program, and that program

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2 ended September 30th, 2011. So when you
3 put the two together, we had over 3,000
4 applications from Philadelphia County
5 alone in the year 2011.

6 These totals tell us that
7 mortgage delinquencies are still high in
8 Philadelphia and the need for HEMAP to be
9 restored is imperative.

10 The real success of this
11 program lies in the number of people that
12 have been helped and, therefore, able to
13 continue their homeownership.
14 Approximately 85 percent of all families
15 have been able to continue ownership of
16 their homes. Again, considering the
17 financial circumstances of the typical
18 applicant, an 85 percent success ratio is
19 outstanding.

20 HEMAP has worked well for the
21 Commonwealth of Pennsylvania. HEMAP has
22 aided the state Legislature in responding
23 to housing and foreclosure issues. This
24 program is also widely supported by a
25 variety of interest groups, including

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2 lending institutions, non-profit housing
3 groups, labor unions and low-income
4 housing advocates. HEMAP has prevented
5 homelessness and helped preserve the
6 American dream for many families.

7 Thanks again for the
8 opportunity to be here, and if anybody
9 has any questions, I'll be happy to try
10 to answer them for you.

11 COUNCILWOMAN TASC0: Are there
12 any questions?

13 COUNCILMAN JOHNSON: Yes.

14 COUNCILWOMAN TASC0: Councilman
15 Johnson.

16 COUNCILMAN JOHNSON: Good
17 morning. Thank you for your presentation
18 and testimony. I just want to get an
19 idea from an advocacy standpoint. On the
20 state level, has there been any new
21 discussions with the Administration on
22 the state level and what type of
23 organizing advocacy is taking place on
24 the state level from your perspective,
25 rather it be republican, democrat, House,

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2 Senate?

3 MR. ROTZ: PHFA really tries to
4 stay out of advocating for the program.
5 We have certainly had discussion with the
6 Attorney General's Office, and also I
7 believe there was a bill last week that
8 was introduced by, is it, Senator or
9 Representative Gordner -- Senator Gordner
10 in trying to get a large percentage of
11 the big bank settlement funds to come to
12 HEMAP. I know that bill that passed the
13 Senate was calling for 90 percent of
14 those funds to come to HEMAP, which will
15 be approximately close to \$60 million.
16 But outside of that -- and, again, we
17 have talked to the AG's Office also, and
18 the AG's Office is also on board to
19 giving a large portion. They've never
20 come out with a dollar amount, but they
21 certainly are interested in giving a
22 large portion of the money to the HEMAP
23 program. I have not heard a number from
24 them, but we certainly -- the AG's
25 Office, I would assume, is in contact

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2 with the Governor's Office. I would
3 assume. I don't know for sure.

4 COUNCILMAN JOHNSON: Okay. And
5 I make that point just for the simple
6 fact that it's quite obvious that this is
7 a very important program. I mean, I
8 don't think anyone up here is going to
9 dispute that case. But I'm also looking
10 for, from a strategy standpoint, some
11 concrete advocacy for results, you know,
12 and rather it be your participation, our
13 participation on Council or following up
14 with Madam Chair to kind of take a look
15 at what's the status on the state level
16 as we renegotiate this budget in
17 Harrisburg, that there's a Senate new
18 version that's just been introduced.
19 There are additional revenues, and in
20 some way we have to fit in that equation.

21 MR. ROTZ: That version I think
22 included zero for HEMAP.

23 COUNCILMAN JOHNSON: See,
24 that's kind of where my head is also with
25 Chairman of Appropriations from

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2 Philadelphia. So we probably want to
3 figure out how do we have a conversation
4 to see if it wasn't included, who is the
5 driving force on the Senate side and are
6 they aware that this program is much
7 needed and it should be a part of
8 negotiations moving forward.

9 MR. ROTZ: I think, once again,
10 the settlement money --

11 COUNCILMAN JOHNSON: And that's
12 probably not just so much for you,
13 because you have to play the neutral
14 role, but at the end of the day, I'm
15 trying to like really see how can we
16 bring money home as opposed to just
17 saying, Okay, this is what the issue is.
18 That's just doing an analysis. But how
19 do we get some results.

20 But I was trying to get more of
21 a feeling of, because you're from the
22 state level, where we're at. So I'll do
23 additional followup with Madam Chair as
24 well from a supportive standpoint to see
25 if we can ask some of those tough

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2 questions on the state level as well.

3 MR. ROTZ: Yeah. I'm not real
4 optimistic that we will get any money
5 through the budget process this year
6 because of the fact that it's well known
7 that a large sum of money from the bank
8 settlement will be coming our way. So
9 I'm not real optimistic that we'll be in
10 the budget this year.

11 COUNCILWOMAN TASC0: Are you
12 saying that because a large sum of money
13 is coming to HEMAP from the settlement?

14 MR. ROTZ: Right. That's my
15 theory behind it as to why there was no
16 money in the budget.

17 COUNCILMAN JOHNSON: I
18 understand.

19 COUNCILWOMAN TASC0: Are you
20 talking about this federal settlement?

21 MR. ROTZ: Yes. Yes. Exactly.

22 COUNCILMAN JOHNSON: What's the
23 dollar amount from the federal?

24 MR. ROTZ: All together the
25 AG's Office is getting about 66 million

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2 in cash settlement, and the Gordner bill
3 was requesting 90 percent of those funds
4 to come to the HEMAP program.

5 COUNCILMAN JOHNSON: Okay. Got
6 you.

7 COUNCILWOMAN TASC0: So what is
8 your budget? What has been your budget
9 before the state did not appropriate?

10 MR. ROTZ: The last couple of
11 fiscal years we were getting about 11
12 million each year through appropriations.
13 That, along with homeowner repayments,
14 allowed us to have a fairly substantial
15 program.

16 COUNCILWOMAN TASC0: So this 69
17 million, which is going to the Attorney
18 General's Office?

19 MR. ROTZ: Right.

20 COUNCILWOMAN TASC0: Why would
21 it go to the Attorney General's Office,
22 for the record?

23 MR. ROTZ: That's where -- all
24 the funds from this big bank settlement
25 are going through the state's Attorney

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2 General's Office.

3 COUNCILWOMAN TASC0: And so
4 they have the power to appropriate it to
5 the HEMAP program?

6 MR. ROTZ: They feel that they
7 do, but there's still a little struggle
8 over whether they really do or whether
9 there should be a bill introduced to do
10 it.

11 They were in to visit us a
12 couple months ago, and they feel like
13 they have the ability to say where the
14 money goes. But, again, we'll see
15 exactly who really makes that
16 determination.

17 COUNCILWOMAN TASC0: Now, how
18 many loans did you say -- you cited some
19 numbers about the number of loans you all
20 have given out. Is that totally since
21 you've been in operation?

22 MR. ROTZ: Yes.

23 COUNCILWOMAN TASC0: Have
24 you --

25 MR. ROTZ: Forty-five thousand

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2 three hundred.

3 COUNCILWOMAN TASC0: Beg your
4 pardon?

5 MR. ROTZ: Forty-five thousand
6 three hundred.

7 COUNCILWOMAN TASC0: And how
8 many of those came to Philadelphia
9 County? Was that the 7,000?

10 MR. ROTZ: That was the 7,000,
11 yes.

12 COUNCILWOMAN TASC0: So the
13 problem is just not Philadelphia; it's
14 statewide.

15 MR. ROTZ: Correct. Exactly.

16 COUNCILWOMAN TASC0: And across
17 all economic levels?

18 MR. ROTZ: Right.

19 COUNCILWOMAN TASC0: Councilman
20 Jones.

21 COUNCILMAN JONES: You touched
22 on it, Madam Chair. And, again, for the
23 record, thank you for your longstanding
24 advocacy for this issue. Before there
25 was a mortgage collapse, before there was

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2 an actual response to any of those
3 things, your antenna went up and you have
4 been on it, stopping Sheriff sales in
5 this Council at least three times, just
6 to put our arms around the issue. So
7 we're appreciative of your longstanding
8 commitment.

9 But my question to you is, put
10 a human face on the help that you give,
11 and is it the new -- is it traditionally
12 poor people? Are these people that are
13 casualties of the economic collapse? In
14 your experience with this program, who is
15 it we're helping? I think Chairwoman put
16 it well. Put a face on it. Where are
17 they from? What is the diversity by
18 which the people that receive this help
19 are?

20 MR. ROTZ: Well, as I had said
21 earlier, it does help people from any
22 socioeconomic background. I mean, we
23 could have a professional who lost her
24 job and got laid off and may get
25 assistance. We may have people who on

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2 very limited low incomes, medium incomes.

3 I mean, if you looked as a totality, the

4 average person that got HEMAP assistance

5 is about -- had earnings of about 40,000

6 as an average.

7 COUNCILMAN JONES: So because

8 of some of the limitations on the

9 guidelines, these are new poor, these are

10 working poor, these are people who have

11 just experienced some of the collapse in

12 the economy, and so it's not your

13 traditional -- I know you're not

14 political, but I can be --

15 anti-republican constituency that we

16 usually traditionally associate with

17 programs like this?

18 MR. ROTZ: Right.

19 COUNCILMAN JONES: I just want

20 to say from a personal level, nothing was

21 more humbling when I was a freshman

22 coming in here and a gentleman that I had

23 gone to high school with, proud guy, he

24 was voted valedictorian, all world, going

25 to be everything, and he came in my

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2 office congratulating me on the win, and
3 then when he closed the door, he got very
4 humble and confessed that his house that
5 his grandmother gave him, because they
6 took out a loan to improve it, was now in
7 foreclosure because he couldn't keep up
8 on those high interest spike payments,
9 balloon payments. And it was never -- I
10 mean, you know, when you deal with a
11 proud person, somebody that was captain
12 of the football team, never asked for
13 anything, and they had to break down and
14 say, I'm about to be homeless, when that
15 help comes from the state or from the
16 City -- and Judge Rizzo hopefully is
17 still here -- you don't know it's life
18 changing. So thank you. And we
19 appreciate what you do, hopefully will
20 continue to do with the settlement money.

21 Thank you, Madam Chair.

22 COUNCILWOMAN TASC0: Thank you.

23 Any other questions, comments?

24 (No response.)

25 COUNCILWOMAN TASC0: We

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2 certainly appreciate your coming to
3 testify. Let me see if I have any other
4 questions here.

5 I certainly have had some
6 experience in dealing with individuals
7 who benefited from the program too. So I
8 certainly hope that we're able to restore
9 the funding to the program. You sound
10 somewhat optimistic.

11 MR. ROTZ: Yes.

12 COUNCILWOMAN TASC0: And that's
13 encouraging.

14 MR. ROTZ: I'm actually very
15 optimistic.

16 COUNCILWOMAN TASC0: So we want
17 to --

18 MR. ROTZ: It's going to
19 happen. We just don't know when and how
20 much.

21 COUNCILWOMAN TASC0: We're
22 going to send a positive support letter
23 to say fund this, this program, because
24 it does help our citizens.

25 I mean, any unfortunate

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2 circumstance can hit a family, and you
3 never know when it's going to hit you or
4 someone close to you, and to have that
5 safety net there is very important. And
6 so we're really concerned about people
7 losing their homes and also about some of
8 the predatory lending that's gone on in
9 the state and will, I guess, forever will
10 continue to go on.

11 But I'd like to say while
12 Councilman Jones gives me accolades, it
13 was really the City Council here in
14 Philadelphia who addressed the issue of
15 predatory lending and the foreclosures,
16 and it was 17 members of this Council
17 that worked very hard to make sure that
18 we provided some safety net for folk. So
19 I want to say that on behalf of my
20 colleagues, those who were here at that
21 time when we addressed the issue of
22 predatory lending.

23 Thank you so much, and we hope
24 you'll stay around.

25 Councilwoman Bass has a

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2 question.

3 So if any issues come up. We
4 won't be all day here. Thank you.

5 COUNCILWOMAN BASS: I'm sorry.
6 I just really wanted to say thank you for
7 all of the work that you do. I was a
8 housing counselor for many, many years at
9 Mt. Airy USA and I had the opportunity to
10 work with Deborah and Hiram and Michelle
11 and so many others. The work that you do
12 is just so critical.

13 I was at a meeting just last
14 night, and I spoke, and a woman came up
15 to me afterwards and said, Can you help
16 me? I don't have a place to go tonight.
17 I have a daughter. She's eight years
18 old. What do I do?

19 And so, you know, these things
20 are heartbreaking, but at the same time,
21 we have to continue forward. We have to
22 work even harder and make sure that we
23 don't let up, that we don't give in. And
24 it's quite a challenge that's ahead of us
25 based on the lack of funding and some

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2 areas even I believe the lack of
3 sensitivity to the issue.

4 So I just really wanted to say
5 I thank you. I have a particular
6 interest and background in it from my
7 previous history, and I just really
8 wanted to say thank you so much for all
9 the work that you're doing.

10 MR. ROTZ: Thank you.

11 COUNCILWOMAN BASS: And also to
12 Councilwoman Tasco. You do a great job.

13 COUNCILWOMAN TASCO: City
14 Council.

15 COUNCILWOMAN BASS: Thank you.

16 COUNCILWOMAN TASCO: Thank you
17 so much. I hope you stay around.

18 As we move to our next
19 panelist, have you all decided who is
20 going first, Califano or McColloch? Go
21 ahead, Cathy.

22 MS. CALIFANO: Good morning.
23 I'm not sure if everyone got -- we
24 brought some material.

25 COUNCILWOMAN TASCO: I'm

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 looking at it here.

3 MS. CALIFANO: So included in
4 the packet is my testimony, as well as
5 The Reinvestment Fund recently completed
6 a study of looking at the financial
7 impacts between 2008 and 2010 of the
8 HEMAP program. In that packet as well
9 there's information on applicants and
10 then the estimated total financial
11 impact, because HEMAP was a resource. So
12 we did it by county, we did it by
13 Pennsylvania Senate district, we did it
14 by House district as well.

15 And, lastly, we put a map in
16 your packet that shows -- and I'll
17 explain how we calculated the financial
18 impact, but the map is colored by the
19 financial impact benefits at census tract
20 level, and the dots represent HEMAP loans
21 during that period of time. So we
22 just -- the Council districts are marked
23 on the map as well just to highlight what
24 a resource it has been relative to --
25 very similar relative to the financial

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2 problem of foreclosure and how it's
3 impacted parts of the City.

4 So with that information, good
5 morning. I'm Catherine Califano. I'm
6 the Associate Director of Policy
7 Solutions at The Reinvestment Fund. The
8 Reinvestment Fund is a CDFI, a community
9 development financial institution, whose
10 mission is to build wealth and economic
11 opportunity for low-wealth people and
12 places through the promotion of socially
13 and environmentally responsible
14 development. We do this by investing
15 capital to build affordable housing, to
16 support community facilities such as
17 charter schools, child care and health
18 centers, arts facilities as well. We
19 also seek to support policymakers in
20 their efforts and your efforts to craft
21 effective public policy by providing
22 comprehensive data and objective
23 analysis, and we do this also through our
24 PolicyMap platform.

25 Today we're here to discuss our

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 recently completed research brief on the
3 Pennsylvania Homeowners' Emergency
4 Mortgage Assistance Program, also known
5 as HEMAP. This work was supported with a
6 grant from the William Penn Foundation.
7 The program, started in 1983 by an act of
8 the Pennsylvania Legislature, lends money
9 to people who, because of circumstances
10 beyond their control, are unable to pay
11 their mortgage. HEMAP is a narrowly
12 tailored program that has received
13 recognition from Harvard University's
14 Kennedy School of Government, from the
15 Federal Reserve Bank of New York and
16 Moody's Investor Services, just to name a
17 few. Throughout its life, HEMAP has
18 provided financial assistance to
19 approximately one in four applicants, or
20 more than 42,000 Pennsylvania homeowners.

21 When homeowners are seriously
22 delinquent on their mortgages, lenders
23 and servicers are required to give notice
24 and advise homeowners that they have a
25 right to apply to PHFA for HEMAP

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2 assistance. Homeowners apply through one
3 of PHFA's certified housing counselor
4 agencies. During the period of time that
5 the application is pending, the
6 foreclosure process cannot proceed.

7 HEMAP loans bridge people in a
8 time when income and life
9 circumstances -- until life circumstances
10 are stabilized. It enables people to
11 stay in their homes and families to
12 remain stable.

13 Because of HEMAP,
14 municipalities are saved the
15 administrative burden of processing
16 foreclosure lawsuits, adjacent neighbors
17 retain their property values, lenders,
18 servicers and investors are also saved
19 significant financial loss when they all
20 experience when a home goes into
21 foreclosure.

22 To be clear, HEMAP assistance
23 is a loan program, not a grant program
24 and, as such, is not subject to the moral
25 hazard arguments that are frequently

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2 raised against the more recently devised
3 foreclosure prevention or mitigation
4 programs. There's no incentive for
5 homeowners to engage in risky or
6 otherwise irresponsible behavior with
7 their mortgage, because the remedy under
8 HEMAP is still a loan that a homeowner
9 has a financial obligation to repay.

10 TRF studied HEMAP activities
11 for the calendar years of 2008, '9 and
12 '10, the last complete year for which
13 HEMAP data was available. During that
14 time, more than 6,100 homeowners were
15 approved for HEMAP assistance and their
16 homes were saved. Every county, House
17 and Senate district in Pennsylvania has
18 homeowners that have benefited from
19 HEMAP.

20 Philadelphia homeowners
21 received 1,255 HEMAP loans, 20 percent of
22 all of the loans approved in
23 Pennsylvania. There were 377 in 2008,
24 397 in 2009 and 481 in 2010.

25 Were it not for HEMAP, those

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2 6,100 homes statewide and 1,255 in
3 Philadelphia would likely have gone into
4 foreclosure, and both Philadelphia and
5 Pennsylvania's foreclosure rates and
6 ranks nationally would have been
7 measurably worse.

8 At the end of 2008, PA's
9 foreclosure rate stood at 2.17 percent.
10 By the fourth quarter of 2010, the rate
11 rose to 3.24 percent. The number of
12 homes the HEMAP assistance saved from
13 foreclosure inventory would generally
14 constitute 4.6 percent of that 5 percent
15 inventory.

16 The Joint Economic Committee of
17 U.S. Congress reports that the total
18 financial impact of each foreclosure is
19 approximately 77,000. The impact amount
20 includes 50,000 generally borne by the
21 lender and servicers, 19,000 borne by
22 local government and 7,200 by homeowners
23 and an additional 1,500 by the neighbors
24 of the people whose house goes into
25 foreclosure.

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2 Applying that amount to HEMAP
3 approvals, we find that between 2008 and
4 2010 a combined 480 million in financial
5 impact was averted statewide. Most of
6 this, more than 300 million, accrued to
7 lenders and servicers doing business in
8 Pennsylvania; 119 million accrued to
9 local governments; 44 million to
10 homeowners in foreclosure; and 9 million
11 to their neighbors. If we use this
12 formula, the average or typical
13 Pennsylvania county averted more than 7
14 million in foreclosure-related costs.
15 And total county costs averted ranged
16 from 77,000 to 98 million.

17 In Philadelphia, using the
18 Joint Economic Committee of Congress
19 estimates, the financial impact of
20 foreclosures, we estimate that the impact
21 of HEMAP in Philadelphia between 2008 and
22 2010 was 97.8 million comprised of 62.7
23 million to lenders doing business, 24
24 million to City government and costs
25 avoided with foreclosure, 9 million to

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2 the homeowners, and 1.9 million to their
3 neighbors who would suffer depressed real
4 estate value because of the foreclosures
5 that are in their market.

6 HEMAP has been a notably
7 successful intervention in the
8 foreclosure crisis and has established a
9 track record for responsibly saving homes
10 without significant public cost.

11 Philadelphia's foreclosure
12 filing volume peaked in 2009 with 8,398
13 filings. Filing volume is down from that
14 peak, and experts generally agree that
15 the decline is not reflective of the end
16 of the foreclosure problem but because of
17 a variety of reasons, including
18 robo-signing, the federal Emergency Home
19 Loan Program and the implementation of
20 the Attorney General settlement. But
21 mortgage delinquency and serious
22 delinquency is still high. For example,
23 in Philadelphia, 2 percent of prime fixed
24 loans were 120 days delinquent at the end
25 of Calendar Year 2011 compared to 1

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2 percent in 2007; 4.1 percent of prime
3 adjustable rate loans were 120 days
4 delinquent at the end of 2011 compared to
5 0.9 percent in the end of Calendar Year
6 2007. And among subprime loans, those
7 120-day delinquent rates are
8 approximately 12 percent.

9 Many of the homeowners with
10 these delinquent loans will likely enter
11 foreclosure, and HEMAP is an effective
12 tool to assist that group of homeowners
13 for which the program was established,
14 people who are about to enter foreclosure
15 through no fault of their own and who
16 have reasonable prospects for repaying
17 HEMAP assistance.

18 Thank you for your attention.
19 It is our hope that this information
20 makes a valuable contribution to those
21 who are considering the future of the
22 HEMAP program.

23 COUNCILWOMAN TASC0: Thank you
24 very much. I think before we have
25 questions, we'll ask Deborah to testify

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2 and then we'll have questions of
3 everyone, if that's okay. Thank you.

4 MS. MCCOLLOCH: You received
5 copies of my testimony, right?

6 COUNCILWOMAN TASCO: Beg your
7 pardon?

8 MS. MCCOLLOCH: Did you receive
9 copies of my testimony?

10 COUNCILWOMAN TASCO: Probably
11 so, yes.

12 Will you speak into the
13 microphone.

14 MS. MCCOLLOCH: I'm sorry. Is
15 that better?

16 COUNCILWOMAN TASCO: Yes.

17 Let me recognize Councilwoman
18 Maria Quinones-Sanchez who has joined us.

19 MS. MCCOLLOCH: Good morning,
20 Councilwoman Tasco and other members of
21 the Committee on Public Health and Human
22 Services. I am Deborah McColloch,
23 Director of Housing. I am here today to
24 testify in support of the Homeowners'
25 Emergency Mortgage Assistance Program,

1 5/15/12 - PUBLIC HEALTH - RES. 120180

2 known as HEMAP.

3 HEMAP was created in 1983 to
4 provide low-interest loans to homeowners
5 facing mortgage foreclosures. It is a
6 national model of a foreclosure
7 prevention tool. HEMAP has provided
8 low-interest loans to over 45,000
9 Pennsylvania homeowners who, through no
10 fault of their own, found themselves in
11 danger of losing their homes due to a
12 life-changing event, such as an illness,
13 the loss of job or a divorce.

14 HEMAP helps stem the tide of
15 foreclosures by requiring lenders to
16 contact homeowners who are 60 days
17 delinquent in their mortgages by what is
18 known as an Act 91 letter. This letter
19 encourages owner-occupants to contact a
20 certified housing counselor in order to
21 submit a HEMAP application, which
22 automatically forestalls a foreclosure
23 filing against that homeowner until a
24 decision is rendered. This delay in
25 foreclosure allows the homeowner to work

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2 with the housing counselor.

3 Here in Philadelphia, our
4 nationally acclaimed Mortgage Foreclosure
5 Prevention Program has saved over 5,000
6 homes from foreclosure since its
7 inception in 2008. HEMAP has been a big
8 part of that success. During the past
9 year, foreclosures slowed as lenders had
10 to resolve regulatory issues regarding
11 their foreclosure practices, but now
12 foreclosure filings are increasing. Just
13 two weeks ago, the Diversion Program saw
14 a record 143 new homeowners in court, and
15 experts estimate that foreclosure filings
16 will more than double in number going
17 forward.

18 The Mortgage Foreclosure
19 Prevention Program alone cannot help the
20 hundreds of homeowners who were laid off
21 and are unemployed. Current federal
22 foreclosure workout programs like the
23 Home Affordable Modification Program,
24 known as HAMP, will not offer loan
25 modifications to homeowners on

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2 unemployment. Only HEMAP can help these
3 homeowners who are in default of their
4 mortgages through no fault of their own
5 and buy more time for counselors to help
6 negotiate with lenders in hopes of
7 preventing a foreclosure filing. Since
8 2008, over 1,200 homes in Philadelphia
9 have been saved by HEMAP alone.

10 The Commonwealth of
11 Pennsylvania eliminated funding for HEMAP
12 in the 2012 fiscal year budget. However,
13 a potential new funding source for HEMAP
14 could be the Pennsylvania Attorney
15 General's \$69 million federal settlement
16 agreement award with loan servicing
17 agencies. Housing advocates throughout
18 the Commonwealth have requested that the
19 settlement monies be used to restart the
20 program as follows: \$20 million a year
21 for HEMAP for three years, \$2 million a
22 year for foreclosure prevention housing
23 counseling and \$1 million a year for
24 legal aid lawyers to help represent
25 homeowners in foreclosure.

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2 Last week, the State Senate
3 approved Senate Bill No. 1433, which
4 establishes funding for HEMAP using the
5 source of funding. However, the bill
6 does not include funding for housing
7 counseling or legal assistance, which are
8 key elements of the successful Mortgage
9 Foreclosure Prevention Program.

10 Thank you for the opportunity
11 to present this testimony today. I'm
12 happy to answer any questions.

13 COUNCILWOMAN TASC0: Thank you
14 very much.

15 I have one question for you,
16 Cathy, in terms of the material you gave
17 us. I haven't gotten to the others, and
18 you may have the answer in your packet,
19 but since I'm looking at the map, there
20 seems to me and for me a large number of
21 loans in the Northwest and also the Lower
22 Northeast, which takes into a lot of my
23 district. In looking at the reasons for
24 foreclosure, have you identified, other
25 than unemployment, what other reasons you

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2 may find a person who is in foreclosure?

3 MS. CALIFANO: I don't have
4 that information here. We have been
5 supporting the program, but this is
6 representing the concentration of the
7 HEMAP program.

8 And I think you would probably
9 have a better understanding of who the
10 applicants coming in and their reasons.

11 MR. ROTZ: Yeah.

12 I mean, again, unemployment is
13 certainly the major one.
14 Underemployment, marital, medical, those
15 are the basic reasons of issues for loans
16 that are actually made under the HEMAP
17 program. Certainly you see a wide
18 variety of other reasons, but they may
19 not necessarily be eligible under HEMAP.

20 COUNCILWOMAN TASC0: Okay.
21 Because, see, as I look at this, because
22 of -- if you take east of Broad, you see
23 a neighborhood in transition and a lot of
24 homes have been sold to homeowners who
25 possibly got predatory loans and/or

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2 adjustable-rate mortgages and couldn't
3 afford them, and I'm interested to see if
4 that is still going on in the community.

5 MR. ROTZ: The issue with the
6 predatory loan issue and people who are
7 getting loans that interest -- maybe
8 there was rising interest rates and those
9 kind of issues, under HEMAP we have that
10 test, but we have to be able to
11 demonstrate not only circumstances beyond
12 our control but also reasonable prospect.
13 So in some of those cases, people may
14 have loans that they could never afford
15 and they may not have a reasonable
16 prospect of ever affording that loan, and
17 unfortunately in that kind of scenario,
18 they would not meet the eligibility
19 requirements of HEMAP.

20 COUNCILWOMAN TASC0: Okay.
21 Because you're saying these are the areas
22 where you have the HEMAP loans.

23 MS. CALIFANO: That's right.

24 COUNCILWOMAN TASC0: This is
25 where the loans are.

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2 MS. CALIFANO: This is not a
3 map of foreclosure. This is a map of
4 HEMAP. And where it's darker, you see a
5 higher concentration of HEMAP applicants
6 and, therefore, a higher return on those
7 census tracts averted losses.

8 COUNCILWOMAN TASCO: Okay. All
9 right. Thank you.

10 Councilwoman Sanchez.

11 COUNCILWOMAN SANCHEZ: Thank
12 you, Madam Chair.

13 I apologize for being late. I
14 wanted to catch up with one of my
15 favorite judges, Judge Rizzo. I want to
16 thank you for all your work in this.
17 There's been a lot of public discussion
18 about the banking industry, the swap
19 lending and so forth, notwithstanding all
20 the work we really have to do to get this
21 refunded.

22 What are some of the lessons
23 learned? Are we able to track who are
24 the real bad guys actors in some of this
25 loan, and what could we be doing in a

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2 more proactive basis in terms of
3 prevention or are we doing with our
4 housing counselors?

5 You know, if people are putting
6 out bad products -- because we have that
7 double-edged sword of redlining and then
8 bad products. What's the middle ground?
9 What should we be doing on a more
10 proactive basis with the banks?

11 MS. CALIFANO: I mean --

12 COUNCILWOMAN SANCHEZ: Or
13 lending institutions.

14 MS. CALIFANO: Some of the
15 other work that The Reinvestment Fund has
16 done has been funded under the Department
17 of Housing and Urban Development under
18 the Fair Housing Assistance, and through
19 that program, we have been trying to
20 educate as well as other efforts, such as
21 Neighbor Works, to educate both housing
22 counselors and to educate homeowners on
23 what their recourses are if they do get
24 into a loan, because it was households
25 were targeted based on race or family

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2 status, so there -- a big effort that I
3 think the City has been very successful
4 at doing and others to make people more
5 cognizant of the loan that they're taking
6 out at the outset, but there are also
7 efforts to track down those lenders who
8 are more problematic and hold them
9 accountable. And that happens at the
10 local level through Fair Housing, through
11 the Pennsylvania Human Relations
12 Commission and through other efforts that
13 are happening through the Pennsylvania
14 Department of Banking and the Attorney
15 General's Office.

16 COUNCILWOMAN SANCHEZ: I'm sure
17 George when he comes testify will have
18 more detail.

19 I'm interested in us having a
20 conversation. I went to a pension
21 training looking at investments and
22 getting some of these funds to invest in
23 urban centers like Philadelphia, and
24 there was an interesting model out of
25 California where one of these funds

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2 decided in California, because it's
3 mostly migrant workers who have to
4 travel, they set up a fund just to do
5 cars, to get undocumented folks to rent
6 cars, and they had like a zero percent
7 default, and these were traditional
8 products. And I just think that we got
9 to get to a place where we're a little
10 bit more proactive, because we know what
11 our folks need in terms of products, and
12 how do we partner up with folks to make
13 sure that we're protecting people in
14 particular neighborhoods.

15 I mean, I think the one great
16 thing that I've learned with The
17 Reinvestment Fund is, we can track all of
18 this. We can show it. We can map it. I
19 just feel like we're not being -- or we
20 could be more proactive about saying who
21 do we want in these neighborhoods who can
22 make money, but doesn't have to exploit
23 people in a way. And I just think that
24 in looking at some of these national
25 models and maybe this is something I know

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2 the Councilwoman, through her
3 relationship with the League of Cities,
4 I'm interested in getting that
5 information, which is why I've gone
6 through some of these boring, boring
7 conferences around financing.

8 But I just think as a city,
9 Philadelphia is a great city and I think
10 we have a lot of potential, and I think
11 we spend a lot of time with the crisis
12 and maybe not as much time as trying to
13 be proactive and say who are the good
14 actors, how do we bring them in, how do
15 we entice them to lend in these areas.
16 Because if people are given a good
17 product, most people do not default, and
18 particularly these communities that are
19 targeted like mine, whether they're
20 undocumented Latino communities, where
21 they'll pay a bill before they buy their
22 milk, and we have that work ethic.

23 So I just think we need to get
24 there. I'm a little frustrated, as you
25 can see. But thank you. I'll ask George

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2 about what other things we could do when
3 he gets up.

4 COUNCILWOMAN TASCO: Councilman
5 Johnson.

6 COUNCILMAN JOHNSON: Thank you.

7 Thank you for your testimony.

8 Deborah, I just wanted to follow up on
9 your testimony regarding Senate Bill
10 1433, which establishes funding for
11 HEMAP, but does not include funding for
12 housing counseling or legal assistance,
13 which are key elements of a successful
14 mortgage foreclosure prevention program.

15 Can you elaborate on how those
16 two components are essential to the HEMAP
17 program. And then I'll probably want to
18 follow up with maybe my staff to see if
19 there has or hasn't been conversation
20 regarding amending 1433 to add these two
21 essential components.

22 But also if I'm correct, I
23 received information as well that -- and
24 I want to make sure this is correct
25 information -- Senator Washington is

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2 introducing legislation that establishes
3 6 million -- now, that's 6 million -- to
4 be dedicated toward the HEMAP. But I'm
5 looking at your number that the advocates
6 are requesting, and that's a total of 23
7 million per year, correct?

8 MS. MCCOLLOCH: Yes.

9 COUNCILMAN JOHNSON: So I'm
10 just trying to separate fact from fiction
11 and get some clarity, because -- just one
12 more thing, Deborah. Because it was
13 mentioned that the proposal was that to
14 take 90 percent of the settlement money
15 from the Attorney General's Office.

16 MR. ROTZ: Right; and come to
17 HEMAP.

18 MS. MCCOLLOCH: Which is
19 consistent with this. That's just -- I
20 mean, I can't do the math in my head, but
21 it's basically consistent. The Senate
22 bill is essentially allocating that
23 Attorney General settlement money.
24 That's the whole question that Mr. Rotz
25 was just talking about, like who really

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2 gets to decide, and that's sort of a
3 debate that's going on right now with our
4 colleagues in Harrisburg, does the
5 Attorney General's Office get to decide
6 or is the Legislature deciding? And I'm
7 sure my colleagues here who are going to
8 testify after me to advocate on behalf of
9 housing counseling activities may be able
10 to describe this in more detail, but what
11 was being proposed by a variety of
12 advocates was that some of the money not
13 only go to HEMAP but also have this piece
14 go to housing counselors and to legal
15 aid, because those are critical
16 components of the Mortgage Foreclosure
17 Prevention Program here in Philadelphia,
18 and also if you were going to try to
19 replicate the Philadelphia model
20 elsewhere in Pennsylvania, you really
21 need some more money to support housing
22 counseling. If anything, in Philadelphia
23 we support housing counseling and we
24 support the legal aid activity through
25 our Community Development Block Grant

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2 funds, and this would be additional money
3 to continue that to make sure that we
4 have the counselors there at Courtroom
5 676 every Thursday and have the
6 assistance provided through the hotline.
7 The hotline is funded through the Legal
8 Aid Society, so -- not Legal Aid Society.
9 Philadelphia Legal Assistance. I'm
10 saying the wrong word. PLA, Philadelphia
11 Legal Assistance.

12 So these funds would help
13 support elements of our Mortgage
14 Foreclosure Prevention Program, and the
15 advantage to having it statewide is then
16 other municipalities could replicate our
17 successful program by having funding to
18 support housing counseling and the legal
19 services, which you really need to make
20 the program work well.

21 COUNCILMAN JOHNSON: So
22 hypothetically, if only the funding goes
23 through without those two components, the
24 housing counseling or legal assistance
25 components, what does the HEMAP program

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2 look like without funding for those two
3 particular?

4 MS. MCCOLLOCH: Well, the HEMAP
5 program -- and Mr. Rotz can speak to it
6 better. I mean, the HEMAP program can
7 still move forward and the HEMAP program
8 needs this support. The advantage of
9 also supporting housing counseling and
10 legal assistance is, you then have that
11 component to help foreclosure prevention,
12 which is better served by having
13 counseling and having the legal
14 assistance.

15 Part of the HEMAP program now
16 is that after homeowners receive that
17 letter, that Act 91 letter, they're
18 referred to housing counselors and told
19 go see a housing counselor, let the
20 housing counselor let you sort through --

21 COUNCILMAN JOHNSON: So they
22 pretty much go hand in hand?

23 MS. MCCOLLOCH: They go hand in
24 hand.

25 COUNCILMAN JOHNSON: Once you

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2 get the actual money, then this is the
3 followup to kind of support the program.

4 MS. MCCOLLOCH: Yes. They're
5 linked.

6 COUNCILMAN JOHNSON: I just
7 wanted to add some clarity for that for
8 the record, but thank you very much.

9 COUNCILWOMAN TASC0: Thank you.
10 We have a question?
11 Councilwoman Sanchez.

12 COUNCILWOMAN SANCHEZ: Deborah,
13 I know we're going to get to the Con
14 Plan. What is the reduction projected
15 this year for housing counseling?

16 MS. MCCOLLOCH: There is no
17 reduction projected for housing
18 counseling.

19 COUNCILWOMAN SANCHEZ: Even
20 with our federal cuts at this point?

21 MS. MCCOLLOCH: Correct.

22 COUNCILWOMAN SANCHEZ: Okay.
23 Good.

24 Thank you.

25 COUNCILWOMAN TASC0: We

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2 certainly thank you for taking time to
3 come down, Mr. Rotz, to talk to us. We
4 appreciate Cathy's information from The
5 Reinvestment Fund. And I also want to
6 just give a shout-out to Ira Goldstein,
7 who really worked very closely and has
8 done a lot of work in this area.

9 And, Deborah, I want to thank
10 you for protecting our housing counseling
11 agencies of Philadelphia. It's sort of
12 like the premier city in the country that
13 provides the housing counseling services
14 to our constituents, and it's very, very
15 helpful.

16 So we thank all of you for
17 coming, providing information, and we
18 hope that we're successful as we move
19 forward.

20 Thank you very much.

21 (Thank you.)

22 COUNCILWOMAN TASC0: We now
23 will have John Dodds, George Gould and
24 James White and Gillian Pollard. I'm
25 sorry, Gillian.

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2 (Witnesses approached witness
3 table.)

4 COUNCILWOMAN TASC0: Mr. White
5 had to leave, so he has left his
6 testimony, which will be part of our
7 record.

8 Good morning. George, you want
9 to go. I know you have to go.

10 MR. GOULD: I will begin. Good
11 morning. My name is George Gould and I
12 thank the Committee for giving me the
13 opportunity to testify on Resolution
14 170180 (sic), which authorizes this
15 Committee to hold hearings on the impact
16 of the Homeowners' Emergency Mortgage
17 Assistance Program, HEMAP, in
18 Philadelphia.

19 I am the Managing Attorney of
20 the Housing and Energy Units at Community
21 Legal Services in Philadelphia. I have
22 worked in the area of mortgage
23 foreclosure for almost 40 years. Over
24 these many years, I have seen firsthand
25 the importance of having effective

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2 foreclosure prevention programs and the
3 critical role they play in saving
4 people's homes.

5 In 1983, led by the
6 Philadelphia Unemployment Project and the
7 gentleman sitting next to me, John Dodds,
8 and working with groups from across the
9 state, we drafted the HEMAP legislation
10 to address the effects of the devastating
11 recession occurring in the country and in
12 our state. HEMAP became law in late
13 1983. It was the first of its kind in
14 the nation and has been a remarkable
15 success.

16 Under HEMAP, a homeowner who
17 has defaulted on their mortgage can
18 receive a loan from the Pennsylvania
19 Housing Financial Agency, PHFA, to
20 prevent foreclosure on their home. In
21 order to be determined eligible, a
22 homeowner must show that the default on
23 their mortgage was due to circumstances
24 beyond their control and that there is a
25 reasonable prospect they'll be able to

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2 resume mortgage payments within three
3 years. Normally it's two years, but in
4 times of high unemployment, it goes up to
5 three.

6 The loan can be used to pay off
7 arrearages and assist in making monthly
8 mortgage payments until the homeowner is
9 back on their feet. Importantly, the
10 homeowner is not required to repay the
11 loan, and interest does not accrue on the
12 loan until the homeowner is financially
13 able to do so.

14 This is a real important piece
15 of the program, because if you give
16 someone a loan and they have to repay it
17 and they're unable to do that, they're
18 just getting deeper into debt. But this
19 program we structured in a way that
20 doesn't happen.

21 As mentioned, over 46,000
22 Pennsylvanians have been approved for
23 HEMAP and over 80 percent of those
24 homeowners still remain in their homes.
25 The state has appropriated over 245

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2 million for HEMAP, and now over 268
3 million have been repaid by homeowners.

4 However, because the
5 Legislature failed to adequately fund
6 HEMAP in the current 2011-2012 fiscal
7 year budget -- they only provided \$2
8 million -- the program stopped taking new
9 applications on July 1st, 2011.

10 The impact on closing HEMAP on
11 the state and Philadelphia has been
12 harsh. For almost a year, homeowners
13 have been deprived of the benefits of
14 this program, which are substantial.
15 HEMAP was created in large part to help
16 the temporarily unemployed. As
17 mentioned, while federal programs do
18 exist to help defaulting homeowners, it
19 is very difficult for unemployed
20 homeowners to receive assistance under
21 these programs.

22 The need for HEMAP is clear.
23 In Pennsylvania, the number of default
24 notices sent in the first quarter of this
25 year rose 55 percent more than the last

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2 quarter of 2011 and 75 percent more than
3 the first quarter of 2011. Foreclosure
4 filings were up 47 percent in
5 Southeastern Pennsylvania in February
6 2012 compared to February 2011.

7 Despite the grim news on
8 foreclosures, the Governor's proposed
9 Fiscal Year 2012-2013 budget had no
10 monies allocated for HEMAP. Pretty
11 amazing.

12 It is important to also
13 understand that when HEMAP stopped taking
14 new applications, the Act 91 notice,
15 which has been previously mentioned,
16 which is sent to homeowners, also
17 stopped. Under HEMAP, a lender cannot
18 commence foreclosure action in
19 Pennsylvania until they send a defaulting
20 homeowner this Act 91 notice. This
21 notice explains that a homeowner can go
22 to a housing counseling agency to get
23 help in applying for HEMAP. And if they
24 go, the foreclosure filing is further
25 delayed. If the homeowner applies for

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2 HEMAP, the lender cannot proceed to
3 foreclosure until a decision is made by
4 PHFA. The process does not exist now
5 because HEMAP has stopped taking
6 applications. It is important for
7 several reasons. One, it puts breathing
8 room in the foreclosure process and
9 directs the homeowner to a housing
10 counselor prior to foreclosure. Even if
11 the homeowner is not eligible for HEMAP,
12 they now have the assistance of a housing
13 counselor who can assist them with other
14 alternatives to try to prevent
15 foreclosure.

16 While the current foreclosure
17 situation looks bleak, as mentioned,
18 there is hope in the future. As most of
19 you are aware, the state Attorney General
20 entered into a national mortgage
21 settlement, which gives the Pennsylvania
22 Attorney General about \$66 million to
23 assist homeowners in the mortgage crisis.

24 The Pennsylvania Save Our Homes
25 Coalition made up of housing, religious,

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2 labor and community organizations from
3 around the state has met with the
4 Governor's Office, legislative leaders
5 and the Pennsylvania Attorney General,
6 Linda Kelly, to urge them to spend the
7 money as follows, which was mentioned by
8 Deborah McColloch: \$20 million a year
9 for HEMAP for three years, \$2 million a
10 year for housing counseling and
11 foreclosure prevention for three years,
12 and \$1 million for legal aid lawyers for
13 three years to represent homeowners in
14 foreclosure.

15 We were encouraged that the
16 Pennsylvania Attorney General responded
17 positively to our request, and in
18 addition, this past Monday, May 7th, the
19 Pennsylvania Senate, as mentioned, passed
20 Senate Bill 1433. This bill provides
21 \$10.8 million for five years for HEMAP,
22 with an additional 6 million for the
23 first year, and does -- and I think
24 Deborah was incorrect. It does provide
25 some money for legal aid, \$600,000 each

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2 year for a period of five years. The
3 bill, however, does not provide funding
4 for housing counseling, and we will seek
5 to correct this in the state House.

6 Housing counseling is a critical
7 component of foreclosure prevention in
8 Pennsylvania and particularly in
9 Philadelphia and must be adequately
10 funded. Housing counseling has suffered
11 funding cutbacks, and this cannot
12 continue.

13 The foreclosure crisis in
14 Pennsylvania and Philadelphia continues
15 unabated. While we are extremely
16 fortunate to have the very successful
17 Mortgage Foreclosure Diversion Program
18 led by the Honorable Judge Annette Rizzo,
19 that program needs tools such as HEMAP to
20 help prevent foreclosure.

21 We urge City Council to take
22 all necessary action, including
23 contacting the Governor's Office, the
24 Legislature and the Attorney General's
25 Office, to have HEMAP funding restored

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2 and monies provided for housing
3 counseling and legal aid to assist in
4 preventing foreclosure.

5 Thank you.

6 COUNCILWOMAN TASC0: Thank you
7 for your testimony. On the page where
8 you talk about that HEMAP stopped taking
9 applications, the Act 91 notice to the
10 homeowner will stop. So now the lender
11 just deals directly with the homeowner by
12 sending a foreclosure notice?

13 MR. GOULD: Effectively that
14 is. In Pennsylvania, they do get
15 something called Act 6. It's, quite
16 frankly, a fairly complicated letter and
17 it just -- it's about three pages, but it
18 does not refer them to a housing
19 counseling agency. The next thing the
20 homeowner gets is the foreclosure
21 complaint. That's correct.

22 The Act 91 notice is extremely
23 important, because it actually sends a
24 letter to the homeowner with a list of
25 counseling agencies, and that does not

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2 happen anymore because HEMAP funding does
3 not exist and they don't take
4 applications.

5 COUNCILWOMAN TASC0: All right.
6 We're going to allow you to answer a
7 question because I know you have to go.
8 You stated that early. I'm sorry.

9 Go ahead, Councilman Johnson.

10 COUNCILMAN JOHNSON: Thank you,
11 Madam Chair. I'm just going to be real
12 quick.

13 Who is responsible for
14 administering the Act 91 and Act 6
15 letters?

16 MR. GOULD: I'm sorry?

17 COUNCILMAN JOHNSON: Who is
18 responsible for administering the Act 91
19 and Act 6 letters?

20 MR. GOULD: They must be sent
21 by the lender prior to foreclosure. But
22 when the program shut down, the agency
23 was required by law to send a notice out
24 to the lender saying you are no longer
25 required to send the Act 91 notice.

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2 COUNCILMAN JOHNSON: I've
3 dealt --

4 MR. GOULD: Now, there is some
5 movement to amend actually Act 6 to add
6 some language in it which would refer
7 people to counseling agencies even if
8 there was no HEMAP, but given HEMAP we
9 believe is coming back at least through
10 the AG settlement or through the
11 Legislature taking control of the monies,
12 that may not happen, but at some point,
13 we would like to put that into the law in
14 case HEMAP funding dries up again.

15 COUNCILMAN JOHNSON: And I ask
16 these questions because I've dealt with
17 several constituents who are on the verge
18 of having their home foreclosed and up
19 until the time like really like literally
20 about to move out of their home when they
21 come to my office, and we wind up sending
22 them to Philadelphia Unemployment
23 Project, and the next thing you know,
24 they're still in their home for another
25 three months, some type of reprieve.

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2 So I ask those questions
3 because we're dealing with the type of
4 institution that we're dealing with, some
5 good, some are bad. For the most part
6 what I've seen, the due process component
7 usually isn't there. It's just usually
8 next thing you know, you have a sticker
9 on your door or getting a threat that the
10 Sheriff's Department is coming to put
11 your stuff out on the sidewalk and you
12 had no idea that through Act 91 -- and
13 I'll even look into Act 6 -- you can get
14 some type of reprieve in terms of going
15 to get some type of counseling to find
16 out what resources are out there to stop
17 you from having your house foreclosed on.

18 Just the last thing. So this
19 bill, from my understanding, is in the
20 House right now?

21 MR. GOULD: It passed the
22 Senate Monday a week ago and is now in
23 the House in the House Urban Affairs
24 Committee.

25 COUNCILMAN JOHNSON: Urban

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2 Affairs Committee. And so some of you do
3 advocacy, some of you don't, but I would
4 think that Chris Ross and Curtis Thomas,
5 who is a strong advocate for the City of
6 Philadelphia, would be a part of this
7 conversation --

8 MR. DODDS: We --

9 COUNCILMAN JOHNSON: -- for an
10 amendment.

11 MR. DODDS: We talked to Chris
12 Ross's office yesterday. We're setting
13 up a meeting with him to try to get the
14 housing counseling money included.

15 COUNCILMAN JOHNSON: If you
16 can -- I know Chris is the Majority
17 Chairman and he has the responsibility of
18 moving bills or holding bills up. I
19 would also see if he's not already a part
20 of this conversation but where Curtis
21 Thomas is so he can lean on Ross even
22 further --

23 MR. DODDS: We will talk to
24 Curtis also.

25 COUNCILMAN JOHNSON: -- from

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2 the City of Philadelphia standpoint.

3 COUNCILWOMAN TASC0: Thank you.

4 Thank you very much. We appreciate your

5 testimony. Good to have you.

6 MR. GOULD: You're welcome.

7 COUNCILWOMAN TASC0: Mr. Dodds,

8 how you doing?

9 MR. DODDS: I'm great. John

10 Dodds, Director of the Philadelphia

11 Unemployment Project. And I'm sorry I

12 don't have any prepared remarks, but I

13 just do want to talk a little bit about

14 the organizing that's going on to try to

15 protect this program.

16 PUP, we work with the

17 unemployed, families that are going

18 through hard times. We've always felt

19 like the ultimate insult or the ultimate

20 blur to a family was the loss of their

21 home after they lost their job, and for

22 years, we fought to -- and we're proud to

23 say we've been able to make some

24 difference in allowing people to stay in

25 their homes despite being out of work,

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2 which is almost invariably through no
3 fault of their own. And the HEMAP
4 program is a result of that back in the
5 '80s. The EHLP program -- we recently
6 had over 3,000 people in Pennsylvania --
7 was something we fought for very hard.
8 Protecting the Diversion Program just in
9 the last few weeks with the sort of
10 misguided attempt to undercut that was
11 something we felt was important to save.
12 And right now we're trying to get HEMAP
13 back, and we've organized the
14 Pennsylvania Save Our Homes Coalition.
15 We had over 80 organizations contacting
16 Governor Corbett, who basically ignored
17 our request to fund the program in the
18 budget. We've now organized that same
19 group. And they are from across the
20 state. You've mentioned that several
21 times. And it is very gratifying to see
22 people from Lancaster County and Beaver
23 County and up in Allentown and
24 Wilkes-Barre and Pittsburgh and so forth
25 joining us in these efforts. We had

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2 housing groups in six different counties
3 to meet with the Attorney General.

4 And let me just say a little
5 bit about why we think the \$20 million is
6 important. Gordner's bill would call for
7 10.8 million a year for five years. We
8 think what that's going to do is just
9 starve the program for five years.

10 Foreclosures were down last
11 year because of the robo-signing scandal,
12 and they're really pent up. And as
13 George indicated, there's been a 55
14 percent increase in foreclosures in the
15 first quarter in the State of
16 Pennsylvania. They're going to keep
17 going up, because the banks are now
18 cleared to start doing foreclosures. To
19 fund HEMAP at the level of 10.8 million a
20 year will just force them to deny most
21 people. They won't have the money.

22 And what I think there's some
23 effort to do is, that the state will no
24 longer fund the program and for five
25 years, we can turn to this AG settlement

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2 money as funding, but we're going to
3 starve a program for five years. We
4 believe at least \$20 million a year is
5 needed, particularly because of the pent
6 up of the -- the held-up foreclosures
7 that are really ready to go all across
8 the state. We need more money.

9 HEMAP already turns down three
10 out of four people that apply. I mean,
11 it's a good program, but you've got to
12 have other things tied in. So if three
13 out of four people are being turned down
14 already, we don't want to see it even
15 worse. And that also speaks to the need
16 for housing counseling. One out of four
17 people get HEMAP. A lot of people get
18 help -- Councilman Kenyatta talks about
19 all the sudden people are getting delay.
20 Well, really what's going on is, housing
21 counselors are working out loan
22 modifications and workouts with the bank.
23 The banks can't take all these houses.
24 It used to be if you were behind on your
25 mortgage, they would foreclose, they'd

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2 take your house. That was cut and dry.
3 There are way too many foreclosures right
4 now, so banks will work out deals. It's
5 very, very difficult, though, to work
6 that out on your own. You need housing
7 counseling, and that's why we believe
8 that along with HEMAP, we need funding
9 for housing counseling.

10 HUD funds have been cut for
11 housing counseling. There's been other
12 federal cuts in housing counseling money
13 that came out of the stimulus and so
14 forth. So we think that it's a package
15 that goes together. The 20 million for
16 HEMAP to fund it adequately -- really not
17 even adequately, but better than, and
18 then also housing counseling.

19 I do want to point out that the
20 EHLP program we've talked about earlier
21 was modeled on HEMAP. A hundred million
22 dollars was spent in Pennsylvania in six
23 months in 2011. A hundred million
24 dollars. So for us to put up \$10 million
25 a year will not be enough. Twenty

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2 million dollars will not be enough.

3 But we are hopeful that the AG
4 will get this money out. It is a
5 question of whether whose got the
6 authority to spend the money. The
7 Legislature spent the tobacco settlement
8 money. They want to spend this AG
9 settlement money. The AG thinks she has
10 the right to do it. We don't care who
11 spends it. We want to see it going to
12 homeowners as soon as possible, and we
13 are working hard to make that happen, and
14 we appreciate Council getting involved in
15 this. And whatever we can all do
16 together to get these programs going to
17 save people's homes is what's important.

18 So thank you.

19 COUNCILWOMAN TASC0: We thank
20 you very much for your work, the hard
21 work you've done through these years and
22 your advocacy, because that is what is
23 needed. Our role here is to lend our
24 voice to support you and what all of the
25 advocates and the organizations are doing

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2 to say this is an important piece to the
3 survival of our communities. So that's
4 why we're having the hearing today, to
5 get your input, and then we'll follow
6 through with the Legislature.

7 MR. DODDS: We appreciate it.

8 COUNCILWOMAN TASCO: Thank you.

9 Ms. Pollard -- you have a
10 question? Councilman Johnson has a
11 comment.

12 COUNCILMAN JOHNSON: John, just
13 back to from the advocacy standpoint. So
14 with your conversations with Chairman
15 Ross, does part of that conversation
16 revolve around doing an amendment --

17 MR. DODDS: We have --

18 COUNCILMAN JOHNSON: -- that
19 will include counseling and legal
20 services?

21 MR. DODDS: Yeah. We're also
22 going to talk to Gordner. Gordner is
23 open. One of the things that's
24 encouraging is everybody up there wants
25 to do something, including -- both

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2 parties want to do something in this
3 area. We just think it's an educational
4 issue as to why you need to do -- one,
5 that 10 million isn't going to be enough
6 and why we need additional funding for
7 counseling.

8 So we haven't -- we've actually
9 just requested a meeting with Ross. We
10 haven't had the conversation yet. We
11 have had some good allies that are close
12 to Gordner, some of the religious
13 community. So we're hoping we can
14 educate them and it won't be a big fight,
15 that they'll -- everybody will see this
16 as a way to go.

17 COUNCILMAN JOHNSON: And just
18 one last component. There's an
19 association of -- Madam Chair, you may
20 correct me -- on the local level. I
21 think it's called the Pennsylvania
22 Association of Municipalities.

23 COUNCILWOMAN TASCIO:
24 Pennsylvania League of Cities and
25 Municipalities.

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2 COUNCILMAN JOHNSON: Yes,
3 exactly.

4 Are they a part of the
5 conversation with your organization?
6 Because I think the other unique part
7 about the HEMAP program is that it's not
8 just a Philadelphia issue, it's not just
9 in the City of Philadelphia where people
10 are losing their homes. So you're
11 talking about Tioga County, Allegheny
12 County. And from having a background in
13 Harrisburg, I think people get the
14 misconception that there aren't people in
15 Indiana County and in Beaver County where
16 it's whole townships where people are
17 still living check by check because the
18 industry just isn't there.

19 So maybe that may be another
20 partnership that can kind of help from an
21 advocacy standpoint. I don't know how
22 they pick agendas.

23 MR. DODDS: We haven't talked
24 to them. That's a good suggestion, and
25 we will. But we have had very strong

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2 support from -- all these counties people
3 see this is important, and they're all
4 going through the same thing we're going
5 through and it's been encouraging to see
6 them come together in this coalition.

7 COUNCILMAN JOHNSON: Thank you.

8 COUNCILWOMAN TASC0: They have
9 a number of statewide associations, the
10 National Associations of Counties and the
11 County -- they e-mail me every minute,
12 and also the Pennsylvania League of
13 Cities and Municipalities. They reflect,
14 at least the Pennsylvania League,
15 reflects the issues of the National
16 League of Cities, which is certainly a
17 concern about this issue too. So having
18 them -- even a conversation with them is
19 very helpful, because the county
20 associations reach out to all the
21 counties, and the League does the cities.

22 MR. DODDS: Maybe something
23 this committee could do is help us reach
24 out to them --

25 COUNCILWOMAN TASC0: I will.

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2 MR. DODDS: -- and encourage
3 them. That will be a big plus, because
4 we don't have a relationship with them
5 now.

6 COUNCILWOMAN TASC0: Well, we
7 can do that. I'll talk to you about
8 that.

9 MR. DODDS: That would be
10 great.

11 COUNCILWOMAN TASC0: Okay.
12 All right. Now, Ms. Pollard,
13 I'm sorry.

14 MS. POLLARD: No problem.
15 Thank you so much. Good morning. For
16 the record, my name is Gillian Pollard
17 and I'm the Director for Community and
18 Economic Development with the Urban
19 League of Philadelphia. I am here
20 today --

21 COUNCILWOMAN TASC0: Could you
22 speak a little closer into the
23 microphone. Thank you.

24 MS. POLLARD: I'm here today to
25 give testimony on behalf of the

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2 Homeowners' Emergency Mortgage Assistance
3 Program, also known as HEMAP.

4 We see this program as a
5 revenue generator for the state. This
6 program also fosters homelessness
7 prevention for residents, and it also
8 assists with neighborhood stabilization.

9 The elimination of HEMAP is
10 proving devastating for homeowners in
11 Philadelphia. Homeowners now have one
12 less option to save their homes. This
13 program also has a negative impact on the
14 state's budget due to the loss of
15 interest income. Without being able to
16 keep their homes, there's a possibility
17 of increased vacancies and blight in our
18 communities.

19 HEMAP benefits the state
20 because it is a loan program and,
21 therefore, increases revenue to the
22 state. For every HEMAP loan that is
23 made, the state receives the original
24 loan amount, plus interest that is
25 accrued from that loan. Additionally,

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2 the homeowner, while repaying the HEMAP
3 loan, is also repaying the original
4 mortgage, thereby funneling money into
5 the economy. Today, The Reinvestment
6 Fund reported on the financial impact of
7 saved homes to lenders, homeowners,
8 neighbors and local governments.

9 Typically, homeowners in the
10 HEMAP program have a greater chance of
11 maintaining their mortgage payment and do
12 not usually end up back in the
13 foreclosure situation. They're able to
14 budget better and, therefore, avoid a
15 recurrence of foreclosure.

16 Additionally, HEMAP provides an
17 additional workout option for homeowners
18 facing foreclosure, thereby increasing
19 the population that can be served by
20 foreclosure prevention programs. It
21 frees up other programs for those who do
22 not qualify for HEMAP.

23 Between 2008 and 2010, through
24 the Urban League Housing program,
25 approximately 20 percent of the

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2 homeowners who came to us seeking help to
3 save their homes applied for HEMAP.

4 Though there are other options still
5 existing for homeowners seeking to save
6 their homes, HEMAP was able to assist
7 those citizens of Philadelphia whose
8 default was caused by financial hardship
9 due to circumstances beyond their
10 control. This program helps homeowners
11 to remain in their homes, thereby
12 preserving and stabilizing our
13 neighborhoods. Without HEMAP, families
14 will lose their homes and there will be
15 more vacant homes in the housing market,
16 further decreasing property values,
17 increasing blight and generally
18 disrupting family life.

19 HEMAP is intended to provide
20 temporary assistance to homeowners facing
21 the loss of their homes due to
22 circumstances beyond their control and
23 who have a likelihood of being able to
24 resume their payments in the future.

25 This program is an effective foreclosure

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2 prevention measure.

3 Now, when more homeowners than
4 ever are facing foreclosure, HEMAP has
5 closed its doors to new applicants due to
6 lack of funding in the state's budget.

7 It is our recommendation that
8 in the interest of increasing revenue to
9 the state, keeping families in their
10 homes and preserving neighborhoods, the
11 state will use its funding to capitalize
12 the HEMAP program, including housing
13 counseling and legal assistance, which
14 will help families protect their American
15 dream of homeownership.

16 Thank you for giving me the
17 opportunity to make my presentation.

18 COUNCILWOMAN TASC0: Thank you
19 so much for taking time to come to
20 testify. The Urban League Housing
21 Counseling program has been in business
22 for a long time, and we appreciate the
23 work that you do and all that you do.

24 John, we can talk after this or
25 you can give me a call and we'll talk

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2 about a process for contacting these
3 associations.

4 MR. DODDS: That would be
5 great.

6 COUNCILWOMAN TASC0: Thank you
7 so much for your testimony. We
8 appreciate it. We appreciate the hard
9 work you do up in Harrisburg, because
10 it's a challenge.

11 We will now have our last
12 panel. Let me recognize Michelle Lewis,
13 Director of Northwest Counseling
14 Services; Judy Berkman, Philadelphia Bar
15 Association; Patty Hasson, President
16 of --

17 MS. HASSON: It's a new name,
18 Clarifi.

19 COUNCILWOMAN TASC0: Yeah. I'm
20 trying to figure out what that is.

21 Rachel Blake, Director of
22 Regional Housing Legal Services, and
23 Deirdre Jones Lowman, Southwest CDC.

24 (Witnesses approached witness
25 table.)

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2 COUNCILWOMAN TASC0: Is there
3 anyone else here to testify on this
4 resolution?

5 (No response.)

6 COUNCILWOMAN TASC0: Okay.
7 This will be our last panel.

8 We certainly thank you for
9 coming out. And let me just say that it
10 was Michelle Lewis who got me involved in
11 1998 in the whole issue of predatory
12 lending by taking me across the City to
13 speak to senior citizens about the whole
14 issue of financial literacy, right? That
15 was what we started with, right?

16 MS. LEWIS: Yeah.

17 COUNCILWOMAN TASC0: So we
18 appreciate the hard work you do, as well
19 as all of the organizations who are here
20 today who are engaged in providing
21 services to our constituencies.

22 You want to proceed, Michelle.

23 MS. LEWIS: Okay. Good morning
24 and thank you so much for allowing me the
25 opportunity. I first want to --

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2 Councilwoman, you had brought up a
3 question and so did Councilwoman Sanchez,
4 and I just had a little bit of two cents,
5 which is probably worth about a half a
6 cent in this economy, but on some of
7 those questions you had.

8 COUNCILWOMAN TASC0: Sure.

9 MS. LEWIS: You had raised a
10 question with respect to why the
11 foreclosure rate is so high in the
12 Northwest area of the City. And
13 historically during the economic crash
14 times, there's always been an uptick in
15 foreclosure rates with respect to the
16 middle class and those above moderate
17 income, which is a large part of the
18 Northwest area. If you remember, back in
19 the late '80s, I want to say around 1989,
20 the foreclosure rate in the Northwest
21 section of the City was about 33 percent.
22 We experienced it again in 1995 when we
23 had the loss of the HUD Assignment
24 program, and then again obviously now
25 when we're facing the same kind of or

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2 similar kinds of circumstances. So
3 that's one of the reasons that there's a
4 higher prevalence in the Northwest areas
5 of the City.

6 The other thing that I want to
7 address that Councilwoman Sanchez brought
8 up was what are some of the things that
9 we can do other than HEMAP, and I just
10 figured since I have the microphone, I'd
11 say a couple of them.

12 One is to enforce some of the
13 existing rules that we have right now.
14 For instance, in Philadelphia, this whole
15 issue of the robo-signing and all of that
16 which led to this enormous settlement
17 happened as a result of many of the
18 municipalities not enforcing the
19 requirement that a servicer must submit a
20 perfected lien when they are filing a
21 foreclosure action, and that perfected
22 lien is the note. We have the ability
23 and the authority to do that, and it's
24 already there. We just do not enforce
25 it.

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2 We would not have had the same
3 kind of reaction in Philadelphia if we
4 had done a better job in enforcing or,
5 you know, doing that now, making sure
6 that the servicer meets the legal
7 requirements for filing a foreclosure
8 action, meaning that they include
9 everything that's supposed to be there in
10 that package in order to foreclose. And
11 if they don't, we either should not let
12 them foreclose or we should fine them and
13 penalize them for doing that, and we can
14 talk about that more later.

15 COUNCILWOMAN TASC0: Well, who
16 does the enforcement?

17 MS. LEWIS: Well, right now the
18 Prothonotary's Office in the City of
19 Philadelphia is the entity that has rein
20 over enforcing that. So I would assume
21 that -- I don't know a lot about the
22 legislative process, but I would assume
23 that City Council could do something
24 about that.

25 COUNCILWOMAN TASC0: Well,

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2 maybe we need to just talk with him and
3 see what's going on there.

4 MS. LEWIS: Yes.

5 COUNCILWOMAN TASC0: Maybe some
6 miscommunication.

7 MS. LEWIS: Yes.

8 COUNCILWOMAN TASC0: We'll talk
9 about that.

10 MS. LEWIS: The other thing is
11 that in terms of prevention, OHCD does
12 require with its Settlement Grant Program
13 where people are buying homes, that
14 people are limited to getting certain
15 types of loans. So that does help in
16 terms of getting rid of these onerous
17 high-cost loans that we're talking about.
18 So that's one measure that OHCD has taken
19 with the counseling agencies.

20 On the federal level, we could
21 probably have more restrictive servicing
22 requirements and require greater
23 disclosures from investors when they turn
24 over these loans and probably restoring
25 HUD's regulatory authority over some of

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2 these lenders.

3 Anyway, that was the end of my
4 two cents.

5 My name is Michelle Lewis. I
6 am the President and Chief Executive
7 Officer of Northwest Counseling Service
8 based here in Philadelphia. Northwest
9 Counseling Service has been providing
10 real estate and housing counseling
11 services for the past 30 years.

12 I also serve as the Director
13 for the National Real Estate Institute
14 that provides theory-based, comprehensive
15 instruction and education to housing
16 practitioners, and particularly those
17 practicing in the Philadelphia
18 Residential Mortgage Diversion Program.

19 In addition, I am speaking as
20 the Chairperson for the American Society
21 of Certified Housing Executives, a
22 national trade association that serves
23 housing professionals around the country.

24 I'd first like to commend you,
25 Councilwoman Tasco, for introducing

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2 legislation to join the conversation
3 about restoring the Homeowners Emergency
4 Mortgage Assistance Program, also known
5 as HEMAP. I'm frankly not surprised, as
6 you've played a pivotal role in attacking
7 housing-related matters over all of these
8 years, keeping the City of Philadelphia
9 at the forefront of putting the concerns
10 of consumers first.

11 We've done that in the City of
12 Philadelphia. We've been known for that
13 nationwide, and we've always been first
14 in doing that. So thank you, because
15 you've led the charge here in us being
16 able to do that.

17 I am here to express my
18 perspective on the current and potential
19 future impact of the absence of the
20 Homeowners Emergency Mortgage Assistance
21 Program. And I deliberately stayed away
22 from spouting out a lot of statistics,
23 because I knew my great colleagues would
24 do probably a better job at doing that.

25 From a counseling perspective,

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2 the role of HEMAP with respect to saving
3 homeowners from foreclosure is clear.

4 For Northwest Counseling Service alone,
5 as an example, who last year recorded a
6 96 percent retention rate in keeping
7 homeowners in their homes, out of
8 foreclosure and current in their mortgage
9 obligation -- that third one is the most
10 difficult to do -- HEMAP and the
11 provision of that program was responsible
12 for 39 percent of our success, of our 97
13 percent, the provision of HEMAP was
14 responsible for 39 percent of it, but it
15 also represented a whopping 48 percent of
16 homeowners in our pipeline that remained
17 current on their mortgages after this
18 provisional relief.

19 I heard a lot of people talk
20 about the numbers for HEMAP for each
21 year, but no one really talked about the
22 cumulative effect that it has on
23 neighborhoods, because the program
24 encourages and supports long-term
25 homeownership. So long after their two

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2 years or three years based on what the
3 unemployment rate is, people are staying
4 in their homes 25, 30 years beyond that.
5 As Daryl testified earlier, HEMAP has
6 less than 15 percent rate of people
7 ending in foreclosure at any time after
8 they've gotten a HEMAP loan. So that
9 cumulative effect makes it very, very
10 impactful on the City of Philadelphia.
11 And so if you were to look at that from a
12 purely mathematical and a visual
13 perspective, you know, just looking at it
14 with your eyes, that could mean that
15 nearly one-half of consumers on each City
16 block in the City of Philadelphia where
17 foreclosures are high could be forced to
18 lose their homes. That could be the
19 consequence that we face with the loss of
20 the HUD Assignment program. And keep in
21 mind that in Philadelphia, we have the
22 best. We've got the best counseling
23 program. OHCD has 33 counseling agencies
24 that are just like us that are doing this
25 work day by day who are very e committed

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2 to this, who are getting workouts for
3 individuals. We have the nationally
4 recognized Mortgage Diversion Program,
5 which is also saving people from homes.
6 And recognize also that across the state
7 where we have 20 other diversion programs
8 now, they are minimal or minuscule in
9 comparison to what we have in
10 Philadelphia, some that do not even have
11 a conciliatory conference. They have a
12 30-day stay for the homeowner on their
13 own to work out something with the
14 lender. The average time for even a
15 counselor to work out a reasonable
16 modification or some other plan is
17 approximately three months.

18 So in some of the counties
19 where they only get 30 days, no
20 representation from counselors or
21 attorneys, imagine the devastating impact
22 that it has on other parts of the state.

23 Beyond the obvious devastating
24 effects that consumers are now subject to
25 since the loss of HEMAP, counselors have

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2 had to spend approximately 30 percent
3 more time working with consumers as a
4 result of the absence of the statutory
5 stay on collection and foreclosure that
6 is inherent in the HEMAP program. That
7 allowed counselors and homeowners time to
8 develop a plan, and many people have
9 talked about that today. But it's
10 also -- and these are some of the sort of
11 the soft things that are tied to the
12 HEMAP program that people don't talk
13 about, but in practice on a day-to-day
14 basis when a counselor is working with a
15 consumer, these things are essential,
16 because the counselors now have to force
17 servicers to provide vital up-to-date
18 information related to the mortgage
19 delinquency. Now they have to use a
20 regulated letter, which is called a
21 qualified written request, which is
22 regulated under RESPA in order to force
23 servicers to give us the vital
24 information regarding the delinquency,
25 how much it is, what fees are included.

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2 That kind of information for a counselor
3 is vital in what we do, and that kind of
4 information was automatically provided
5 through the provision of the Act 91
6 notice and then the consequent notices or
7 requirements of lenders that followed
8 that throughout the process. So we had
9 that information on a moment's notice,
10 and if there were any items where there
11 was dispute that was necessary, we
12 could -- we have time to dispute them.

13 So these are some of the softer
14 items that, again, that are very crucial
15 to the continuation of having this HEMAP
16 program available to us.

17 Continued loss of the HEMAP
18 program would be devastating to
19 Philadelphia and could likely result in
20 the kind of mass foreclosure experienced
21 in the late 1990s due to the loss of the
22 HUD Assignment program that we had for
23 FHA mortgages, which was similar in
24 effect to the HEMAP program. Although I
25 will say, side by side with that, that

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2 the HUD Assignment program was extremely
3 costly to the federal government, both
4 for the government and for consumers,
5 because for consumers, there was a
6 negative amortization factor in it, which
7 meant that the mortgage balance, even
8 though you got the help, the mortgage
9 balance that you owed grew over the three
10 years that you got relief. So you might
11 have started off with a balance of
12 \$16,000. At the end of three years, you
13 owed 69,000, plus three years tax
14 advances. And even though it helped
15 consumers, it was also a burden in that
16 respect.

17 HEMAP, on the other hand, is
18 extremely cost effective. It is a loan
19 program that forward amortizes, which
20 means that that's a constantly declining
21 balance. So it's both cost effective for
22 the state, for the state government and
23 for the consumer themselves in the way
24 that it works.

25 So, finally, the program

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2 includes all of the textbook elements in
3 its design, which was very visionary when
4 it was created, and yet it's very
5 relevant and still consistent in its
6 impact over all of these years since
7 1983. From a national perspective, the
8 HEMAP program is arguably the best in the
9 nation. I don't think that there are
10 many people that would question that. It
11 has, again, been cost effective to the
12 homeowner and the state. It remarkably
13 has an unprecedented rate of repayment,
14 even among people that were previously
15 delinquent. The rates of repayment are
16 higher and the delinquency rates are
17 lower on those loans than on traditional
18 first-time loans. So the program works
19 from every perspective.

20 PHFA among -- I was at a
21 conference two weeks ago for housing
22 finance agencies, and Pennsylvania
23 Housing Finance Agency is looked at
24 around the country as the model for its
25 innovative programs and due largely in

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2 part to the HEMAP program, and so
3 everyone is looking to PHFA and, of
4 course, the State of Pennsylvania as the
5 number one model to be around the
6 country.

7 So in sum --

8 COUNCILWOMAN TASC0: We got
9 four other people.

10 MS. LEWIS: I'm finally
11 finishing.

12 In sum, we must reinstate, we
13 have to reinstate the HEMAP program and
14 bring Pennsylvania and especially the
15 City of Philadelphia back to its position
16 of leading the charge nationwide with
17 respect to saving homes and communities
18 from the destructive consequences of
19 foreclosure.

20 And I thank you so much,
21 especially for your patience with me
22 rambling.

23 COUNCILWOMAN TASC0: No. Thank
24 you very much. You gave us some very
25 good information, and we appreciate your

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2 passion. You know you've done a good job
3 through the 30 years you've been in
4 business.

5 Okay. Ms. Berkman.

6 MS. BERKMAN: Good morning.

7 COUNCILWOMAN TASCO: Good
8 afternoon.

9 MS. BERKMAN: Good afternoon,
10 Chairwoman Tasco and members of the City
11 Council Committee on Public Health and
12 Human Services. My name is Judy Berkman
13 and I'm testifying today on behalf of the
14 Philadelphia Bar Association about the
15 impact of the HEMAP program on
16 Philadelphia. I am not an employee of
17 the Bar Association. I work at Regional
18 Housing Legal Services, and I'm an
19 attorney there, but I'm Treasurer of the
20 Bar Association's Real Property Section
21 and a member of the Public Interest
22 Section and Delivery of Legal Services
23 Committee.

24 On March 29, 2012, the
25 Philadelphia Bar Association Board of

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2 Governors adopted a resolution to support
3 funding for HEMAP and mortgage
4 foreclosure prevention, conciliation and
5 representation.

6 Regarding HEMAP, the
7 Association's resolution noted that
8 Pennsylvania's nationally acclaimed HEMAP
9 program was established nearly 30 years
10 ago to provide eligible homeowners in
11 default on their mortgages with repayable
12 loans to bring their mortgages current.
13 The Commonwealth of Pennsylvania's HEMAP
14 program was a 2007 finalist for an
15 Innovation in American Government Award
16 presented by the Ash Center for
17 Democratic Governance and Innovation of
18 the Harvard Kennedy School.

19 The HEMAP program has helped
20 thousands of Pennsylvanians facing
21 foreclosure, including significant
22 numbers of Philadelphia's homeowners.
23 Pennsylvania Housing Finance Agency's
24 Executive Director, Brian Hudson,
25 testified that the HEMAP program had

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2 saved more than 42,700 families from
3 foreclosure through loans totalling \$442
4 million, and more than 20,000 of these
5 loans had been repaid in full. An
6 analysis of the HEMAP program issued by
7 the Federal Reserve Bank of New York
8 noted that 80 percent of HEMAP loan
9 recipients have retained ownership of
10 their homes.

11 The Reinvestment Fund published
12 research in February 2012 demonstrating
13 that from 2008 to 2010, HEMAP saved more
14 than 6,100 homeowners from foreclosure
15 and estimated that over this three-year
16 period, the program averted an adverse
17 economic impact of \$480 million due to
18 foreclosures in Pennsylvania, providing
19 significant savings for Pennsylvania
20 lenders and loan servicers, local
21 governments, homeowners in foreclosure
22 and their nearby neighbors. In
23 Philadelphia, this Reinvestment Fund data
24 shows that a total of 1,255 HEMAP
25 applications were accepted from 2008

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2 through 2010, meaning that Philadelphia
3 was able to avoid an adverse financial
4 impact of over \$97 million during these
5 crucial years.

6 The nationally acclaimed and
7 financially successful HEMAP program
8 stopped taking new applications and
9 approving new loans effective July 1,
10 2011 due to insufficient Pennsylvania
11 appropriations for the HEMAP program,
12 which continue into this current budget
13 proposal for next year.

14 The Pennsylvania Attorney
15 General is party to the mortgage loan and
16 servicing foreclosure abuse action
17 against several national banks, and
18 consent decrees settling the cases were
19 filed by the parties on March 12th, 2012.
20 Under the settlement, the Attorney
21 General of the Commonwealth of
22 Pennsylvania will receive a state payment
23 settlement amount of over \$66 million to
24 further the respective educational and
25 law enforcement purposes of the Office of

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 the Attorney General and the Pennsylvania
3 Department of Banking.

4 By the way, this is all quoted
5 from the actual consent decree language.

6 And the balance is to be
7 allocated by the Attorney General, at her
8 sole discretion, to appropriate programs
9 that help Pennsylvania homeowners avoid
10 foreclosure. This is called the
11 "settlement amount." The amount, timing
12 and manner of allocation of the
13 settlement amount is at the sole
14 discretion of the Attorney General.

15 The Philadelphia Bar
16 Association's resolution notes that on
17 March 8, 2012, the Philadelphia City
18 Council unanimously adopted a resolution
19 urging the Attorney General to use the
20 settlement amount to relaunch and restore
21 dedicated state funding for the HEMAP
22 program. The restoration and funding of
23 the HEMAP program is also supported by a
24 wide range of stakeholder organizations,
25 including the banking industry.

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2 Regarding legal services

3 funding, the Philadelphia Bar Association

4 has a longstanding policy of supporting

5 funding for legal services and public

6 interest organizations. For example, in

7 April 2009, the Philadelphia Bar

8 Association adopted a resolution

9 declaring that legal counsel should exist

10 as a matter of right and at public

11 expense for low-income persons in those

12 categories of adversarial civil

13 proceedings where basic human needs are

14 at stake, such as those involving shelter

15 and housing. This concept is known as

16 "civil gideon."

17 Legal services programs in

18 Pennsylvania represent nearly 10,000

19 low-income homeowners facing mortgage

20 foreclosure every year, and the

21 appropriations in Pennsylvania for such

22 legal services programs have declined

23 over the past four fiscal years, which

24 are noted in the written testimony.

25 Pennsylvania legal services

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2 programs are also experiencing
3 significant reductions in federal funding
4 and Interest on Lawyers Trust Account
5 funding, as well as loss of economic
6 stimulus funding at a time when the
7 numbers of mortgage foreclosures are
8 rising. In 2012, Pennsylvania mortgage
9 foreclosure filings were up sharply
10 compared to last year. This increase in
11 foreclosure filings coincides with the
12 closing of the HEMAP program for new
13 applications and funding reductions for
14 legal services programs.

15 Regarding housing counselors,
16 we confirm what other people have
17 testified, that a key component of the
18 success of the HEMAP program is the
19 pre-foreclosure notice that is sent to
20 homeowners in default advising them to
21 consult a housing counselor within 90
22 days and alerting them about the
23 existence of the HEMAP program.

24 I have to add -- I'm not sure
25 it's been specified -- HEMAP applications

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2 have to be submitted by housing
3 counselors. So that's why the housing
4 counselors are partially such a key
5 component.

6 Adequate funding is also needed
7 to support the work of housing counselors
8 as part of a comprehensive foreclosure
9 prevention settlement.

10 In conclusion, the Philadelphia
11 Bar Association's resolution urged that
12 the Attorney General, the Governor and
13 the General Assembly use the settlement
14 amount, the robo-signing settlement
15 amount, to provide adequate funding for a
16 comprehensive statewide foreclosure
17 prevention effort by using such funds to
18 restore and operate the HEMAP program, as
19 well as to fund housing counselors and
20 legal services programs to provide
21 mortgage foreclosure prevention,
22 conciliation and representation services.
23 And they further urge the Governor and
24 the General Assembly to appropriate
25 funding for HEMAP and legal services in

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2 the 2011-'12 budget and in future state
3 budgets.

4 I would as a person -- if I may
5 have your permission --

6 COUNCILWOMAN TASC0: Sure.

7 MS. BERKMAN: -- and the
8 permission of my colleagues here.

9 At Regional Housing, I
10 represent -- and this is not for the Bar
11 Association. This is for myself.

12 I actually represented Project
13 HOME trying to help get HEMAP for one of
14 its residents that it had sold a house
15 to. And I don't feel like there's
16 actually been a story today. If you
17 don't mind, I'd just very briefly.

18 She had one son and she had
19 lost her job at University of
20 Pennsylvania Hospital, and she was
21 selling cosmetics in either Mary Kay or
22 Avon or something door to door, and she
23 was getting child support for her son,
24 who was a senior in high school and had
25 been admitted to college on merit. She

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2 was very proud of him. And she had
3 fallen behind on her mortgage because the
4 child support stopped when her son
5 graduated from high school, and her
6 cosmetic business was going down because
7 of the economy and people just weren't
8 buying the level that they had. So she
9 fell behind in her mortgage, and she went
10 to a housing counselor and she was able
11 to enter into a payment agreement with
12 her mortgage lender under the HAMP
13 program. Foreclosure proceedings had
14 started, but she was able to get into the
15 HAMP program, and she was making all her
16 payments every month regularly. She was
17 regrettably turned down for HAMP because
18 of the work Project HOME did in the
19 neighborhood. Her \$30,000 house was now
20 worth \$70,000, because her house was
21 right across from the 23rd Street office,
22 the St. Elizabeth's office of Project
23 HOME, and they had been doing a lot of
24 rehab and renovation with city and state
25 funding in the area. So she was turned

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2 down for HAMP, and she had this Sheriff
3 sale notice tacked on her door. She was
4 just petrified and almost frozen.

5 She had gone to over 12
6 diversion program conciliation
7 conferences. She had done everything. I
8 mean, it took attorneys, it took housing
9 counselors. We worked with her. She got
10 a part-time job and she avoided the
11 Sheriff sale. We got stays of the
12 Sheriff sale. She applied for HEMAP
13 because she had a part-time job, and she
14 got HEMAP. And it just was so rewarding,
15 both for her personally but also for the
16 City. The City had through the
17 redevelopment -- through maybe it was
18 through PHDC. Its subsidy money was a
19 soft second mortgage on the property.

20 In foreclosure, the City's
21 subsidy would have been lost and it might
22 not have been sold to a new affordable
23 home buyer, and Project HOME had money
24 invested in it, which is why they had
25 gotten notice of the proceeding, and they

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2 would have lost their money. So we were
3 able to save a City-funded rehab on a
4 strong street with a strong community
5 development corporation. And I wanted to
6 just add a personal story to today's
7 testimony.

8 I appreciate your time.

9 COUNCILWOMAN TASC0: That's
10 very interesting. I'm glad you brought
11 that up, because, you know, we're dealing
12 now with this whole AVI issue, and
13 certainly she's in an area where things
14 might have -- that program would have an
15 impact on her.

16 MS. BERKMAN: Yes. Thank you.

17 COUNCILWOMAN TASC0: Glad to
18 hear that story. It gives us another
19 perspective.

20 Thank you. Next, Patty Hasson.
21 And would you just tell me what this new
22 group is.

23 MS. HASSON: Sure. Good
24 morning -- or good afternoon. My name is
25 Patty Hasson and I'm President and

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2 Executive Director of Clarifi, a
3 non-profit resource dedicated to lifelong
4 financial literacy.

5 Originally known since 1966 as
6 Consumer Credit Counseling Service of
7 Delaware Valley, Clarifi is now a
8 501(c)(3) non-profit that has assisted
9 nearly 600,000 local residents in
10 improving financial literacy, capability
11 and stability. Our mission is to create
12 hope by helping people identify and
13 secure the most important assets in their
14 lives.

15 Clarifi currently has 12 branch
16 offices covering Philadelphia, Bucks,
17 Chester, Delaware and Montgomery Counties
18 in Pennsylvania, Burlington, Camden,
19 Cumberland, Gloucester and Salem Counties
20 in New Jersey and New Castle County in
21 Delaware. Many of our branches are
22 located in community partner space, which
23 allows clients to access multiple
24 services conveniently.

25 Clarifi is a member of the

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 National Foundation for Credit Counseling
3 and accredited by Council on
4 Accreditation. We're also approved by
5 the U.S. Department of Housing and Urban
6 Development, HUD, as well as state and
7 local housing agencies to provide housing
8 counseling and education. In addition,
9 we are approved by the U.S. Department of
10 Justice, the executive office of the U.S.
11 Trustees, to provide bankruptcy education
12 and counseling. We are a member of the
13 Better Business Bureau in Pennsylvania
14 and New Jersey.

15 I have served as President of
16 Clarifi for 13 years, reporting to a
17 20-person Board of Directors, and I
18 oversee the operation and the 66 employee
19 staff.

20 I have served also on a
21 three-year term to the Federal Reserve
22 Board Consumer Advisory Council from 2007
23 and 2009 in the midst of this crisis, and
24 I was appointed Chair of the Housing and
25 Community Development Committee on the

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2 CAC, and I'm currently a member of the
3 Board of Directors of the Philadelphia
4 Chamber.

5 Clarifi has been counseling
6 HEMAP clients for close to 30 years,
7 since 1983. In just the past ten years
8 alone, we have counseled over 11,000
9 individuals and families through the
10 HEMAP program, providing some clients
11 with the best possible solution, the
12 ability to stay in their home in the
13 community.

14 What we have also provided, but
15 harder to measure, is the impact our
16 comprehensive services have had with each
17 and every client served through the
18 program. Regardless of whether the
19 client received HEMAP assistance or not,
20 we know they received many lasting
21 tangible benefits from our counseling,
22 having a positive impact on their lives.

23 During a HEMAP session, our
24 counselors learn about the client's
25 unique circumstances. Although we work

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2 with clients on their immediate housing
3 issues, our counselors start to
4 understand the underlying issues that may
5 have contributed to their current
6 financial situation.

7 The counselor might suggest
8 other financial programs or education
9 opportunities to address a specific need.
10 We may refer the client to another local
11 agency for help, such as a food bank,
12 legal aid, job center, just to name a
13 few. Our counselors share our online
14 resource directory containing hundreds of
15 links to local services, such as energy
16 assistance, senior citizen programs, food
17 assistance, housing repair and more.
18 These are all trusted local resources
19 that provide value to our clients in
20 areas outside of our expertise.

21 Our counselors also offer and
22 discuss more than one option for their
23 pending foreclosure. They apply for the
24 HEMAP assistance and a loan modification
25 at the same time.

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2 When a client's case reaches
3 resolution, that does not end our
4 relationship with the HEMAP client. At
5 this point, the client typically has
6 trust and confidence in our counselor and
7 continues the relationship past the
8 crisis point.

9 One of our counselors, Hope
10 Katz, recently shared a story with me
11 about the long-term relationship she has
12 with a couple, Sharon and Walter from
13 Norristown. In the spring of 2009,
14 Sharon and Walter received an Act 91
15 letter in the mail and came in for an
16 initial counseling session with Hope.
17 Due to a medical disability, they had
18 fallen behind on their mortgage.
19 Unfortunately their case was denied by
20 HEMAP. However, Hope continued to work
21 with them in person at least six times
22 and by phone over the next three years.
23 Through Hope's guidance and patience,
24 they applied for a few different housing
25 programs, a trial modification, and were

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2 referred to legal aid, all options to
3 save their home.

4 Sharon and Walter have been
5 through a lot and always with Hope at
6 their side. Just this May in 2012, Hope
7 heard from Sharon. They have been
8 approved for a permanent modification.
9 An Act 91 letter initiated the counseling
10 session in 2009, and now three years
11 later, Sharon and Walter are thrilled to
12 know they can keep their home. They
13 persevered, but they couldn't have done
14 it on their own. Had they not been
15 directed to a counseling agency like
16 Clarifi and many others who are here in
17 the room who could offer more than one
18 solution, their story may have had quite
19 a different ending.

20 This is just one example that
21 illustrates the impact HEMAP and the
22 entire process has on a family.

23 Through HEMAP, the housing
24 client in distress receives an
25 introduction to an accredited, reliable

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2 resource that they can turn to for their
3 immediate housing crisis, but they can
4 also utilize it again for future
5 financial challenges.

6 If we look at the past 12
7 months when Clarifi provided HEMAP
8 counseling, we documented outcomes from
9 over 800 clients. Of those, 19 percent
10 received HEMAP assistance. More telling
11 is that 61 percent reported other
12 positive resolutions, including mortgage
13 modifications, repayment plans, EHLP
14 assistance, regular sales, reverse
15 mortgages and refinancing.

16 If we had cut HEMAP three years
17 ago, I wonder where Sharon and Walter
18 would be living now. What would be the
19 state of their neighborhood with their
20 foreclosed property? What would be the
21 value of their home on their block?
22 Fortunately Sharon and Walter reaped an
23 underlying positive benefit of the HEMAP
24 program. So did at least another 800
25 clients who shared their outcomes with us

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2 in the past 12 months.

3 I urge you to support the
4 restoration of HEMAP and its many
5 positive tentacles. Let's keep as many
6 people as possible like Walter and Sharon
7 in their homes, rebuilding their
8 financial stability and preserving their
9 communities.

10 Thank you.

11 COUNCILWOMAN TASC0: Thank you
12 very much for your testimony. We
13 appreciate it.

14 MS. HASSON: I do have to go
15 out, so I just wanted to say one thing,
16 because I'm actually heading to do a news
17 program segment on the loan modification
18 scams that are still going on, and I
19 think that that is another fallout of the
20 HEMAP program being discontinued, because
21 it got people to trusted resources, to
22 counseling agencies. So now it's not as
23 easy to get -- these loan scams are still
24 going on where companies are out there
25 getting people to pay for modifications,

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2 and so the news media still is interested
3 in this story, and I think one of the
4 fallouts is the Act 91 letter not going
5 out and not getting them to that trusted
6 resource.

7 COUNCILWOMAN TASC0: It just
8 seems that there's a lot of support for
9 skullduggery and it just keeps going on.
10 It seems to me that we would be looking
11 to try to find a way to just stop it, but
12 it gets worse. You make one good turn
13 and somebody comes along and makes
14 another bad turn.

15 Gillian, I like what you said
16 about the financial impact these issues
17 have on the economy.

18 Thank you.

19 Good afternoon.

20 MS. BLAKE: Good afternoon. My
21 name is Rachel Blake and I'm an Associate
22 Director at Regional Housing Legal
23 Services. I want to thank the Committee
24 on Public Health and Human Services for
25 calling this hearing and for the

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2 opportunity to testify.

3 COUNCILWOMAN TASC0: Is
4 Regional Housing Legal Services the same
5 organization that Judy Berkman is with?

6 MS. BLAKE: Yes. We have the
7 same employer, but we're here in
8 different capacities today.

9 COUNCILWOMAN TASC0: Okay.
10 Fine.

11 MS. BLAKE: So RHLS is a
12 non-profit law firm with unique expertise
13 in affordable, sustainable housing and
14 its related components - community and
15 economic development, utility matters and
16 preservation of homeownership. RHLS
17 provides innovative project and policy
18 solutions that help create sustainable
19 communities offering decent, safe and
20 affordable housing for lower-income
21 Pennsylvanians. We are headquartered in
22 Glenside and have offices across the
23 Commonwealth.

24 A significant portion of RHLS's
25 work is focused on homeownership and

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2 homeownership preservation. Through this
3 work, we are well versed in the impact of
4 HEMAP as a national best practice, an
5 effective state program and a critical
6 element of Philadelphia's approach to
7 foreclosure prevention.

8 HEMAP was created in the early
9 '80s to respond to sudden high
10 unemployment in Pennsylvania. HEMAP
11 targets homeowners who are facing trouble
12 through no fault of their own and have a
13 reasonable likelihood of getting back on
14 their feet within two or three years.
15 The program recognizes that unemployment,
16 illness and family changes can come out
17 of the blue and knock the financial wind
18 out of a household. HEMAP helps
19 qualified homeowners avoid foreclosure by
20 giving them time to catch their breath.

21 A report from the Federal
22 Reserve Bank of New York stated that
23 HEMAP had helped most participants retain
24 their homes while paying off their loans
25 at a potentially lower cost than other

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2 relief programs, about \$1,600 per case
3 compared with 13,600 for the federal HAMP
4 program. In 2011, a U.S. Congressman
5 described HEMAP as the single most
6 effective anti-foreclosure program that
7 has been put forward.

8 HEMAP has served as a model for
9 programs in other states, including
10 programs created using Hardest Hit Fund
11 dollars. It led the way toward the
12 eventual modification of the HAMP program
13 that enabled the program to better
14 address the needs of unemployed
15 homeowners. It also served as a guide
16 for the implementation of the federal
17 Emergency Homeowners Loan Program, EHLP.
18 In fact, EHLP had its greatest success in
19 Pennsylvania, which, despite a very tight
20 timeframe for committing funds, was able
21 to fully commit the \$105 million
22 allocated to it, plus an additional
23 three. Pennsylvania was responsible for
24 more than a quarter of the funds
25 committed under EHLP nationally. The

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2 existence of HEMAP helped both guide the
3 policies surrounding EHLP and allowed
4 Pennsylvania to capture those funds.

5 Through March 2012, HEMAP has
6 disbursed more than \$500 million and
7 received repayments totalling more than
8 268 million. More than 45,000 homeowners
9 have received HEMAP and more than 21,000
10 have repaid their loans. The average
11 HEMAP loan is approximately \$11,000.
12 Approximately 80 percent of those who
13 receive HEMAP loans are ultimately able
14 to keep their homes.

15 The Reinvestment Fund, TRF, as
16 you know, recently released an issue
17 brief titled "What If Pennsylvania Had
18 Not Had HEMAP," which stated that between
19 2008 and 2010, HEMAP helped more than
20 6,100 homeowners avoid foreclosure and
21 saved, between local and state
22 government, banks and homeowners,
23 approximately \$480 million.

24 In addition to the impressive
25 statistics about HEMAP's impact in

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2 Philadelphia and in our state, there are
3 more subtle, but I think equally
4 important, contributions that HEMAP makes
5 to foreclosure preventions in
6 Philadelphia.

7 Last fall, RHLS released a
8 report titled "No Place Like Home:
9 Philadelphia's Approach to Foreclosure
10 Prevention." The report contained the
11 first comprehensive qualitative look at
12 the response to the foreclosure crisis in
13 Philadelphia. We were able to document a
14 variety of state, local and federal
15 programs that were coming together to
16 help prevent foreclosures in
17 Philadelphia, and housing counselors were
18 at the heart of it all.

19 Philadelphia has a network of
20 approximately 30 housing counseling
21 agencies which help people understand
22 their options, help them negotiate
23 modifications, inside and out of
24 Diversion Court, and apply for HEMAP.
25 The fact that we have such a large strong

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2 network of housing counseling agencies is
3 a tribute to the leadership and
4 commitment of the City of Philadelphia
5 and the Office of Housing and Community
6 Development, which has provided
7 significant funding and support to these
8 agencies over the years. I firmly
9 believe that the commitment that the City
10 leaders have made to housing counseling
11 created an infrastructure in this city
12 that facilitated the success of two
13 national best practices, the Diversion
14 Court and HEMAP. The network of housing
15 counseling agencies was able to quickly
16 mobilize to work with homeowners in
17 Diversion Court and also responded
18 quickly to the very short timeframe we
19 had to implement EHLPP.

20 We believe that HEMAP is a
21 vital tool to help prevent foreclosure in
22 Philadelphia. In addition to the
23 thousands of homeowners and millions of
24 dollars saved directly, HEMAP provides
25 two additional key benefits: First, the

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2 notice providing contact information for
3 housing counseling agencies, and, two,
4 the process by which homeowners can get
5 up to 120 extra days to try to find a
6 solution.

7 Information about the
8 availability of free, quality housing
9 counseling services is vital. Many have
10 seen the foreclosure crisis as
11 opportunity to scam desperate homeowners,
12 charging them up front for services never
13 performed and for which the owner could
14 have received free services elsewhere.
15 The additional time homeowners receive
16 under HEMAP has no doubt given scores of
17 owners the opportunity to find a way to
18 self-cure.

19 While the details about the
20 amount and the length of funding remain
21 unclear, we are currently hopeful that
22 HEMAP will be reinstated, and we're
23 hearing July. So we applaud the efforts
24 of the City Council of Philadelphia to
25 understand and publicize the significant

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2 impact that HEMAP makes to homeowners and
3 to neighborhoods and urge homeowners to
4 reach out to their housing counseling
5 agencies.

6 COUNCILWOMAN TASC0: Thank you.
7 Thank you for your testimony and thank
8 you for your patience.

9 What is a non-profit law firm?

10 MS. BLAKE: That's us. We're a
11 non-profit and we provide legal services
12 as part of what we do, and typically we
13 work with non-profit community
14 development organizations. So like Judy
15 mentioned before, organizations like
16 Project HOME and a series of other
17 organizations is the legal piece, and we
18 do policy work, we have a utility arm.

19 COUNCILWOMAN TASC0: How are
20 you funded?

21 MS. BLAKE: We get funding
22 through a variety of sources. We are
23 part of the Pennsylvania Legal Aid
24 Network, so we get some funding through
25 that, and then we also have some grant

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2 funding.

3 COUNCILWOMAN TASC0: Okay.
4 Thank you very much.

5 MS. BLAKE: Sure.

6 COUNCILWOMAN TASC0: I
7 appreciate your testimony.
8 Councilman.

9 COUNCILMAN JOHNSON: I have a
10 question regarding a totally separate
11 issue, but in terms of services that your
12 organization provide, do you deal with
13 making sure there are equal rights for
14 people that have disabilities that are in
15 need of housing?

16 MS. BLAKE: We don't do --
17 disability work is not one of our main
18 areas, but there is an organization,
19 Disability Rights Network, in the City
20 that would probably be an excellent
21 resource.

22 COUNCILMAN JOHNSON: Disability
23 Rights Network?

24 MS. BLAKE: Yes. And I would
25 say that if you're having trouble getting

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2 a hold of them or you have some other
3 questions or a constituent does, we'd be
4 happy to try to make whatever connections
5 we can.

6 COUNCILMAN JOHNSON: All right.
7 Thank you very much.

8 COUNCILWOMAN TASC0: Thank you.
9 Ms. Jones Lowman, Deirdre Jones
10 Lowman. Thank you. Southwest CDC.

11 MS. LOWMAN: Good afternoon.
12 My name is Deirdre Jones Lowman and I am
13 the Housing Program Manager at Southwest
14 CDC. I'd like to thank you, Madam Chair
15 and esteemed Committee members, for
16 allowing me the opportunity to speak
17 here.

18 The impact of the Homeowners
19 Emergency Mortgage Assistance Program on
20 the residents of Southwest Philadelphia
21 has been immense. Most homeowners going
22 through the foreclosure process have no
23 other recourse toward retaining their
24 homes if they are unable to modify or
25 cure the debt.

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2 The HEMAP program, a national
3 model for mortgage assistance programs,
4 allowed homeowners to stay the
5 foreclosure proceedings while their
6 application was under review. If
7 approved to participate in the loan
8 program, it provided affordable, soft
9 second mortgages for those who are facing
10 foreclosures due to no fault of their
11 own - unemployment, reduction in income
12 or any other circumstances beyond their
13 control.

14 The PHFA program also promoted
15 ownership and accountability and ensured
16 that homeowners had a reasonable prospect
17 of regaining control of their financial
18 lives.

19 For 25 years, Southwest CDC has
20 provided direct services to improve the
21 quality of life for the residents of
22 Southwest Philadelphia. Since 1995, the
23 organization has been providing housing
24 counseling services to the residents of
25 Southwest Philly. The HEMAP program was

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 instrumental in providing homeowner
3 mortgage assistance to about 300
4 Southwest Philadelphia homeowners since
5 2007.

6 Southwest Philadelphia, which
7 includes area codes 19142, 19143, 19153,
8 has the largest number of foreclosures in
9 Philadelphia, and the residents have been
10 benefited greatly from the HEMAP program.
11 When the program concluded on June 30th,
12 2011, the program had an average
13 application acceptance rate of 37 percent
14 for Southwest Philadelphia homeowners
15 facing foreclosure. What that means is
16 that of the 347 applications submitted in
17 2011, about a third of them were
18 approved.

19 Between the first quarter of
20 2010 and the third quarter of 2011, when
21 the HEMAP program ended, there were about
22 4,100 Act 91 notices filed in the zip
23 codes of 42, 43 and 53. So what that
24 means is that potentially there were
25 about 4,000 people who could lose their

1 5/15/12 - PUBLIC HEALTH - RES. 120180

2 home or were at least 90 days delinquent.

3 Philadelphia and the

4 Commonwealth of Pennsylvania are unique

5 because they set the national standards

6 for foreclosure prevention and mortgage

7 assistance programs, which include the

8 Philadelphia Diversion Program and HEMAP.

9 The average number of foreclosure notices
10 sent for the zip codes that I've already
11 stated, 42, 43 and 53, were about 1,374
12 for each zip code.

13 Currently, in 2012, foreclosure
14 filings for the City of Philadelphia have
15 increased by 50 percent over the last
16 year this time. Mortgage default
17 increased 35 percent over last year.

18 Southwest Philadelphia
19 borrowers have the highest rate of
20 subprime loans in the City. The diverse,
21 culturally rich and pride for community
22 is eclectic in its membership. Southwest
23 Philadelphia community is composed of
24 proud and self-sufficient people who
25 value family and culture. Without the

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 HEMAP program, this community is at a
3 high risk of foreclosure and any other
4 Philadelphia community.

5 Foreclosure is not only about
6 losing one's home. It contributes to an
7 increase in neighborhood blight, crime,
8 property abandonment, economic decline
9 and disempowerment of its residents.
10 HEMAP was more than a mortgage assistance
11 program; it was or is a lifeline to
12 hard-working families who fell behind due
13 to no fault of their own. The HEMAP
14 program, in conjunction with housing
15 counseling, educates homeowners on how to
16 live within their means, prepare for
17 unforeseen circumstances, and the program
18 contributes to community and neighborhood
19 stabilization.

20 Thank you for your time.

21 COUNCILWOMAN TASC0: Well, we
22 thank you for being so patient. Thank
23 you for that testimony, and I will tell
24 you that back in 1999, it seems -- I keep
25 going back, because we started with the

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 information gathered by ACORN on the
3 subprime loans in Southwest Philadelphia,
4 in your community, and that's how we came
5 to the whole issue of dealing with the
6 predatory lending in the City, because
7 there was a large increase in subprime
8 loans in that community. So we're very
9 familiar with what's going on out there
10 and glad that HEMAP was there to provide
11 some relief to some of the homeowners.
12 We thank you for being there to provide
13 that service to the community and thank
14 your organization for the work that you
15 do.

16 MS. LOWMAN: Thank you.
17 COUNCILWOMAN TASC0: Thank you.
18 Is there anyone else here to
19 testify?

20 Councilman Johnson has a
21 comment.

22 COUNCILMAN JOHNSON: Deirdre
23 Jones, I just want to commend you and
24 Southwest CDC for work that you do, being
25 on the ground, rather it's housing

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 counseling or assisting families with
3 mortgage foreclosures. I just want to
4 acknowledge you for the hard work that
5 you do; specifically, more importantly,
6 Southwest CDC as a whole. They are the
7 anchor in the Southwest community. So
8 keep up the good work.

9 MS. LOWMAN: Thank you so much.

10 COUNCILWOMAN TASC0: Keep up
11 the good work. You got a new Councilman,
12 and I guess you were the State Rep,
13 right?

14 COUNCILMAN JOHNSON: Yeah.

15 COUNCILWOMAN TASC0: He was the
16 State Rep. So it continues with your
17 leadership.

18 Anyone else here to testify?

19 (No response.)

20 COUNCILWOMAN TASC0: We
21 certainly thank all of you. Hiram, thank
22 you for your work over at OHCD and thank
23 you for sitting and listening today. And
24 we want to thank all of you for coming,
25 providing the information that you have

1 5/15/12 - PUBLIC HEALTH - RES. 120180
2 provided to us. We will follow this and
3 track this in Harrisburg. Certainly I
4 will be talking to my State Rep, Cherelle
5 Parker, as well as my other State Rep,
6 Dwight Evans, as well as my State
7 Senator, LeAnna Washington, to let them
8 know we had the hearings. I'll share
9 with them some of the testimony that has
10 come through, and hopefully you will and
11 we all are successful in getting them to
12 refund the program in Harrisburg, which
13 is so important to our community.

14 Thank you again for coming. We
15 appreciate it. Thank you for all the
16 hard work you do and the services you
17 provide to Philadelphia.

18 Thank you.

19 (Committee on Public Health and
20 Human Services adjourned at 12:45 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on May 15, 2012, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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