

Committee on Housing, Neighborhood Development and the Homeless
November 6, 2020

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON HOUSING, NEIGHBORHOOD DEVELOPMENT
AND THE HOMELESS

Remote location using Microsoft® Teams
Friday, November 6, 2020
2:00 p.m.

PRESENT:

COUNCILWOMAN JAMIE GAUTHIER, CHAIR
COUNCILMAN CURTIS JONES, JR., VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KENDRA BROOKS
COUNCILMAN ALLAN DOMB
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA

BILLS: 200414, 200420, 200421

1 - - -

2 COUNCILWOMAN GAUTHIER: Good
3 afternoon, everyone. I understand that
4 state law currently requires that the
5 following announcement be made at the
6 beginning of every remote public hearing
7 as follows: Due to the current public
8 health emergency, City Council
9 Committees are currently meeting
10 remotely. We are using Microsoft Teams
11 to make these remote hearings possible.

12 Instructions for how the public
13 may view and offer public testimony at
14 public hearings of Council Committees
15 are included in the public hearing
16 notices that are published in the Daily
17 News, Inquirer and Legal Intelligencer
18 prior to the hearing and can also be
19 found on phlcouncil.com. I now note
20 that the hour has come.

21 Mr. Weiss, will you please call
22 the roll to take attendance.

23 Members that are in attendance
24 will please indicate that you are
25 present when your name is called. Also,

1 please say a few brief words when
2 responding so that your image will be
3 displayed on screen when you speak.

4 THE CLERK: Councilmember
5 Jones.

6 COUNCILMAN JONES: Good
7 afternoon, Madam Chair. Looking forward
8 to a productive hearing.

9 COUNCILWOMAN GAUTHIER: Good
10 afternoon. So am I. Thank you.

11 THE CLERK: Councilmember
12 Quinones-Sanchez.

13 COUNCILWOMAN QUINONES-SANCHEZ:
14 Good afternoon, members and colleagues.

15 THE CLERK: Councilmember Bass.

16 COUNCILWOMAN BASS: Good
17 afternoon to all my colleagues. And the
18 Chairwoman, good afternoon, and the
19 listening public. Thank you.

20 THE CLERK: Councilmember
21 Gilmore Richardson.

22 COUNCILWOMAN GILMORE
23 RICHARDSON: Good afternoon, Madam Chair
24 and colleagues. Thank you all so much.

25 THE CLERK: Councilmember

1 Squilla.

2 COUNCILMAN SQUILLA: Good
3 afternoon, Madam Chair and members of
4 the Housing Committee.

5 THE CLERK: Councilmember Domb.

6 COUNCILMAN DOMB: Good
7 afternoon, Madam Chair. And good
8 afternoon, colleagues.

9 THE CLERK: And, Councilmember
10 Brooks.

11 COUNCILWOMAN BROOKS: Good
12 afternoon, Madam Chair. And good
13 afternoon, colleagues.

14 COUNCILWOMAN GAUTHIER: Thank
15 you. A quorum of the Committee is
16 present and this hearing is now called
17 to order.

18 I also want to acknowledge the
19 presence of Councilmember Gym at this
20 time. The Councilmember is not a member
21 of the Committee. But as a sponsor of
22 one bill before this Committee today,
23 she has been invited to make comments
24 during the hearing and ask questions of
25 witnesses. The Councilmember will not

1 take part in the public hearing at the
2 conclusion of the public hearing -- at
3 the public meeting, sorry, at the
4 conclusion of the public hearing.

5 This is the public hearing of
6 the Committee on Housing, Neighborhood
7 Development and The Homeless regarding
8 Bill Nos. 200414, 200420 and 200421.

9 Before we proceed with testimony, I
10 wanted to give a few brief updates that
11 I think the public will be happy to
12 hear.

13 First, I am excited to announce
14 that this morning Philadelphia Municipal
15 Court issued an order banning
16 residential evictions in Philadelphia
17 through December 31, 2020, except in
18 limited circumstances where landlords
19 show good cause. This means that
20 thousands of tenants will be able to
21 continue to remain in their homes during
22 this COVID resurgence, and this is great
23 news.

24 I want to thank the President
25 Judge of Municipal Court, Patrick Dugan,

1 for his leadership, partnership and
2 thoughtfulness in issuing this order. I
3 also want to thank the President Judge
4 of the First Judicial District, Judge
5 Idee Fox, as well as Judge Matthew Wolf
6 who oversee Landlord Tenant Court for
7 their leadership and partnership.

8 I also want to recognize the
9 leadership and advocacy of City Council
10 and this Committee, but specifically
11 Council President Darrell Clarke,
12 Councilmember Helen Gym and
13 Councilmember Maria Quinones-Sanchez for
14 their advocacy on behalf of renters.
15 While their work is not always visible
16 to the public, they've contributed
17 greatly to today's good news.

18 I will be remiss if I also did
19 not acknowledge the tireless work of
20 tenants, advocates, legal aid lawyers
21 and activists who have lifted up the
22 stories of Philadelphians who are
23 suffering from the ill effects of
24 housing insecurity. Your voices pushed
25 government to protect our most

1 vulnerable. Your voices won the first
2 Emergency Housing Protection Act, and in
3 my opinion had a major role in achieving
4 the statewide moratorium and strong
5 rental assistance programs. I sincerely
6 thank you for pushing government to do
7 more and to do better.

8 Lastly, I do not want to steal
9 her thunder, but Anne Fadullon, our
10 Director of the Department of Planning
11 and Development, has some additional
12 exciting announcements about how the
13 City will continue to support renters
14 and landlords during COVID. I'm going
15 to end my remarks here and I look
16 forward to Anne's announcement and to
17 voting on these important measures
18 today.

19 I understand also that
20 Councilmember Quinones-Sanchez wants to
21 make some opening remarks too.

22 COUNCILWOMAN QUINONES-SANCHEZ:
23 Thank you, Madam Chair, and thank you
24 for all your hard work and to the bill
25 sponsors for working through the initial

1 package and then the second package. I
2 also don't want to steal Anne Fadullon's
3 thunder and the Administration, but I
4 thought it was important to thank the
5 Mayor, Rob Dubow, the entire Finance
6 team, the CARES team for their work to
7 get us to this announcement.

8 I want to thank Anne Fadullon
9 and her team who behind the scenes work
10 very closely with Council President's
11 office, Herb and others in creating and
12 continuing to challenge ourselves as to
13 how do we respond to this pandemic, the
14 COVID realities and the housing
15 insecurity that we have. Those of us
16 who work in this space and have for
17 many, many years take this work
18 extremely serious.

19 I want to thank the
20 stakeholders and the advocates and the
21 residents and share your comments and
22 amplify your comments, Madam Chair,
23 about their stories and we thank you and
24 we hear you. There's still a lot of
25 work to be done and I don't want to

1 steal Councilman Jones' thunder because
2 he always has the best sayings. We are
3 always on the same road, not always in
4 the same lane, but definitely going in
5 the same direction. So thank you, Anne
6 and everyone.

7 COUNCILWOMAN GAUTHIER: Thank
8 you so much, Councilmember.

9 Would any other members of the
10 Committee like to make opening remarks?

11 (No response.)

12 COUNCILWOMAN GAUTHIER: Do I
13 see you nodding, Councilmember Jones?

14 COUNCILMAN JONES: No.

15 COUNCILWOMAN GAUTHIER: Okay.
16 Very good.

17 Mr. Weiss, with that will you
18 please read the titles of the bills.

19 THE CLERK: Bill No. 200414, an
20 Ordinance amending Chapter 9-800 of the
21 Philadelphia Code, entitled "Landlord
22 and Tenant," to address matters related
23 to the landlord and tenant relationship
24 during the novel coronavirus 2019
25 pandemic, including providing for

1 temporary eviction relief and making
2 certain technical changes, all under
3 certain terms and conditions.

4 Bill No. 200420, an Ordinance
5 amending Chapter 9-800 of the
6 Philadelphia Code, entitled "Landlord
7 and Tenant," to address matters related
8 to the landlord and tenant relationship
9 during the novel coronavirus of 2019
10 pandemic, including providing for the
11 temporary waiver of certain fees and
12 making certain technical changes, all
13 under certain terms and conditions.

14 Bill No. 200421, an Ordinance
15 amending Chapter 9-800 of the
16 Philadelphia Code, entitled "Landlord
17 and Tenant," to address matters related
18 to the landlord and tenant relationship
19 during the novel coronavirus of 2019
20 pandemic, including providing for
21 repayment agreements, and making certain
22 technical changes, all under certain
23 terms and conditions.

24 COUNCILWOMAN GAUTHIER:
25 (Muted.)

1 COUNCILMAN SQUILLA: Jamie,
2 you're muted.

3 THE CLERK: You're on mute,
4 Councilmember.

5 COUNCILWOMAN GAUTHIER: Sorry.
6 Before we begin to hear testimony from
7 the witnesses we have for today,
8 everyone who has been invited to the
9 meeting to testify should be aware that
10 this public hearing is being recorded.
11 Because the hearing is public,
12 participants and viewers have no
13 reasonable expectation of privacy. By
14 continuing to be in the meeting, you are
15 consenting to being recorded.

16 Additionally, prior to
17 recognizing Members for the questions or
18 comments that they have for witnesses, I
19 will note for the record at this time
20 that we will use the chat feature
21 available in Microsoft Teams to allow
22 Members to signify that they wish to be
23 recognized. In order to comply with the
24 Sunshine Act, the chat feature must only
25 be used for this purpose. Thank you.

1 Mr. Weiss, will you please call
2 the first panel of witnesses we have to
3 testify.

4 THE CLERK: Anne Fadullon, Vik
5 Patel, Brianna Westbrooks, Reverend
6 Gregory Holston.

7 COUNCILWOMAN GAUTHIER: Good
8 morning, Anne. Are you connected and
9 ready to proceed?

10 MS. FADULLON: I am. I am.
11 Thank you. Good morning, everybody or
12 good afternoon, I should say. So there
13 was a lot of talk about me bringing the
14 thunder. And I just want to say it's
15 going to be very hard for me to beat the
16 thunder that the City of Philadelphia
17 brought this morning when we flipped
18 this state blue. And I apologize. I
19 have some weird light thing coming on so
20 I keep sort of going in and out of this
21 bright light. But let me just say that
22 bright light is the voters of
23 Philadelphia.

24 COUNCILWOMAN GAUTHIER:
25 Absolutely. Can you please state your

1 name for the record.

2 MS. FADULLON: Sure. I'm Anne
3 Fadullon. I'm Deputy Mayor of Planning
4 and Development for the City of
5 Philadelphia. I really just want to
6 provide some updates and some
7 information for the hearing this
8 afternoon. Our Phase 2 of our rental
9 assistance program which was
10 predominantly funded with state CARES
11 Act money and then as folks may recall,
12 the City committed some dollars to match
13 that so that we were able to take the
14 cap from \$750 up to \$1500. The
15 application period for that closed
16 November 4th.

17 We ended up getting just over
18 17,000 applications. Of those, we got
19 10,897 were fully complete with both
20 landlord and tenant participating. And
21 so, we are continuing to process the
22 payment for those. So because of that,
23 just shy of 11,000 households will be
24 able to remain safely housed in the
25 City.

1 However, about 6,195 of those
2 landlords of those 17,000 did not
3 respond so we ended up getting a
4 landlord response rate of 64 percent. Just
5 to remind folks, we were in -- I meant
6 of 64 percent, excuse me. Let me
7 correct that. We got a landlord
8 nonresponsive rate of 36 percent, which
9 means a landlord participation rate of
10 64 percent.

11 As folks may recall, prior to
12 the City agreeing to match our landlord
13 participation rate was in the 40s, so we
14 got a 20-percentage point increase when
15 we agreed to that cap so we are thankful
16 for that. However, we still have just
17 shy of 6200 tenants that applied that
18 weren't able to get assistance. So we
19 are pleased to say that we are getting
20 an additional \$20 million in City CARES
21 fund to be able to serve those tenants
22 that were not able to get served in
23 Phase 2.

24 The window for that will open
25 up shortly. However, I will say this,

1 these are tenants that have already
2 applied. Because of the tight time
3 frame to spend this money, we have to
4 have it spent, out the door by the end
5 of this year. We really don't have time
6 to go through a whole other application
7 process and process everything.

8 So what we're going to do is
9 take these again just shy of 6200
10 tenants that have already been approved
11 but for their landlords participating,
12 we are going to provide assistance
13 directly to those tenants so that they
14 will be able to pay their rent. So
15 that's what we are doing with this
16 additional 20 million. So that's great.
17 So those are all the COVID-related folks
18 that have applied for assistance. And
19 just a reminder, all the CARES Act
20 money, you need to have a COVID-related
21 issue.

22 A couple of other things that
23 will happen is one of the big delays
24 about getting tenants approved under the
25 state program was you had to show a

1 30-percent loss of income and go through
2 the state's unemployment system. We are
3 getting rid of those requirements and
4 the tenant will just need to sign an
5 affidavit stating that they had income
6 loss due to COVID, which is how we ran
7 Phase 1 of the City's program. So
8 again, that's all the COVID-related
9 folks.

10 I just want to also provide an
11 update on where we are with eviction
12 diversion. As folks may recall, we
13 opened up that website in September.
14 Since then, again as of November 4th, we
15 had 470 landlord requests come in
16 through that website. Just over 400 of
17 those were approved, which means the
18 landlords applied with all the things
19 that they needed to have. We got 184
20 mediations scheduled. Of those, around
21 70 of them ended up getting an agreement
22 for payment plans. So of the mediations
23 that were held so far, about 70 of them
24 the way to resolve it was a payment
25 plan. And then frankly, all the other

1 numbers are like 4 did this, 5 did this.
2 So it's really showing or proving out
3 that the predominant need here is for
4 payment of rental assistance and some
5 ability to get into a payment plan for
6 these tenants.

7 Given that, the City has been
8 negotiating with City Council and is
9 working on providing an additional \$3
10 million in General Fund as part of the
11 transfer ordinance that we're all
12 working on for the FY21 budget. And
13 those dollars will go to help assist
14 tenants that have a pre-COVID eviction
15 filing that are coming from diversion.

16 And we are hoping -- we'll
17 probably be able to serve we think
18 around 500-ish tenants with those
19 dollars. We know there's a greater
20 need. But up until now, we really did
21 not have a source of funds to help deal
22 with these pre-COVID eviction filings
23 other than our existing Shallow Rent
24 program that right now we're targeting
25 for our already subsidized units and

1 LIHTC deals. So this is a really
2 exciting development for us, that we are
3 now able to provide some dollars to also
4 deal with the tenants that have
5 pre-eviction -- pre-COVID eviction
6 filings.

7 So with that, I'm going to be
8 quiet. If folks have any questions, I
9 am happy to do my best to answer them.
10 But this is such a historic day for the
11 City of the Philadelphia and we're
12 really proud to add onto that, that
13 we've identified several million dollars
14 in additional funding to help assist
15 tenants that really have so much need
16 right now.

17 COUNCILWOMAN GAUTHIER: Thank
18 you so much, Anne. And thanks also to
19 Mayor Kenney and the rest of the team at
20 the Administration for making this
21 happen.

22 I think Councilmember Gilmore
23 Richardson wants to be recognized.

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Thank you so much, Madam

1 Chair, and thank you to our Housing
2 Committee colleagues for your real
3 dedication to serving Philadelphians who
4 are most in need. I agree that we are
5 all on the same road to help
6 Philadelphians facing eviction, but at
7 times we are in different lanes.

8 So I truly want to thank Anne
9 Fadullon for all of her work in the
10 Administration, our Council President
11 and our Appropriations Chair
12 Councilmember Sanchez for all your work,
13 to ensure we can offer revenue to assist
14 those most in need. My primary concern
15 was to ensure that with the passage of
16 the legislation we were able to assist
17 individuals with revenue who were in
18 process for eviction prior to COVID-19.

19 These individuals are facing
20 extreme hardship which has only worsened
21 since COVID-19. So today while the eyes
22 of the nation remain upon Philadelphia,
23 Philadelphia has stepped up to show that
24 through partnership and collective hard
25 work, we can overcome differences to

1 find common ground while still helping
2 the most vulnerable people that we
3 serve.

4 So thank you all so very much.
5 And thank you to the Administration and
6 to Anne for that \$3 million for the
7 individuals who are in process prior to
8 COVID-19 for eviction. That was truly
9 my primary concern at the last hearing.
10 So thank you very, very much.

11 COUNCILWOMAN GAUTHIER: Thank
12 you.

13 Councilmember Bass.

14 COUNCILWOMAN BASS: Good
15 afternoon. Good afternoon, Madam Chair
16 and colleagues.

17 I wanted to echo the statement
18 of my colleague Councilwoman Kathy
19 Gilmore Richardson and really thanking
20 Councilwoman Sanchez, the
21 Administration, Council President
22 Darrell Clarke, of course Anne Fadullon
23 for all of the hard work because this is
24 a win, this is a big win, and I really
25 think it really just should not be

1 underestimated.

2 We have really gotten in front
3 of an issue that really could have grown
4 into just blowing this pandemic through
5 the roof in Philadelphia, and we've
6 gotten in front of it. And we've gotten
7 in front of it in a way that's really
8 going to help people significantly. And
9 not only are we going to help people who
10 were in trouble related to COVID, but we
11 also found a way to direct resources to
12 people who were struggling before so
13 that it feels as if no one is untouched.

14 And I just really wanted to
15 ask, Ms. Fadullon, if there is anyone
16 out there that we haven't touched with
17 this legislation or touched with these
18 policies that we are moving forward
19 with, because it feels like we pretty
20 much covered, we've done a comprehensive
21 job of making sure that evictions don't
22 happen on a mass level right now in
23 Philadelphia, and I know you said
24 something to the effect of only
25 evictions that were agreed to by the

1 courts will proceed, but could you give
2 some detail on what those would be and
3 also if there's anyone else out there
4 that you think we need to pay attention
5 to that we have missed in this effort?

6 Thank you, Madam Chair.

7 COUNCILWOMAN GAUTHIER: Thank
8 you.

9 MS. FADULLON: So,
10 Councilwoman, I'll try to answer that to
11 the best that I can. We know that we're
12 about 2,000 pre-COVID eviction filings.
13 It's our understanding that around
14 600-ish, 600 to 700 of those were moving
15 forward. So like I said with this 3
16 million, we think we may be able to
17 serve around 500-ish of them, so we know
18 that there's going to be some that we
19 may not be serving.

20 Other than that, I would say
21 honestly the population that we're not
22 able to serve often times are the truly,
23 truly marginalized who are just not on
24 the grid, right. They are outside of
25 the system and they are existing, you

1 know, so that they may not go through
2 the courts or have their required
3 documentation that we need to have for a
4 lot of these funding sources.

5 So I think that's our work as
6 we go forward, is to continue to try to
7 figure out how do we reach those folks
8 that frankly to some extent were not
9 fully aware of, but that is something
10 that we will have to try to continue to
11 work on as we go forward.

12 But let me say this, right.
13 Even prior to this additional 3
14 million -- so if you add that in -- we
15 have dedicated \$70 million as a City,
16 whether it's CARES fund coming from the
17 Feds through the City, whether it's our
18 CDBG COVID dollars, now some additional
19 General Fund dollars, that is an amazing
20 statement for this City to be putting
21 into not just affordable housing, but in
22 particularly rental-focused affordable
23 housing. And that is a big shift for us
24 and that happened within the last six
25 months.

1 So for us to not just sort of
2 provide \$70 million but to also be able
3 to get systems up, programs up, run it
4 through, get in applications, get those
5 applications approved, get the paperwork
6 and get that money out of the door, it's
7 really taken all of us and it's just
8 been incredible to frankly watch my
9 staff and a lot of folks within the City
10 and to work this closely with City
11 Council to get that done.

12 COUNCILWOMAN GAUTHIER: Thank
13 you. And I also --

14 COUNCILWOMAN BASS: Thank you.

15 COUNCILWOMAN GAUTHIER: Sorry.
16 Councilmember Bass, were you done?

17 COUNCILWOMAN BASS: No. I was
18 just going to say thank you to Anne and
19 to your team for all of the work in
20 making these very successful moves.

21 COUNCILWOMAN GAUTHIER: I
22 realize that Councilmember Gym is not in
23 this hearing, but I wanted to make sure
24 that we took ample time to recognize her
25 strong advocacy in this area and all of

1 her work as well, in particular her
2 focus throughout on the pre-COVID
3 evictions and on the Diversion Program.

4 I see that Councilmember
5 Quinones-Sanchez has a question.

6 COUNCILWOMAN QUINONES-SANCHEZ:

7 Yes. Actually, I wanted to tie in
8 exactly what you said with Councilmember
9 Gym. I think one of the reasons all of
10 these programs were able to be set up
11 was because of the work done around
12 diversion. And what Anne failed to
13 mention and I want her to talk about
14 because all of this works as an and, and
15 an and, and an and, is the robust
16 housing counseling agencies network that
17 we have as our partners and CLS and that
18 the Diversion Program kind of allows us
19 to work all of these things through. So
20 I just wanted Anne to speak about --
21 because all of those programs are going
22 to be fully funded and how that helps us
23 get through this process.

24 So thank you, Madam Chair, for
25 highlighting that. That's exactly where

1 I wanted to go. Thanks.

2 MS. FADULLON: Let me just say
3 we could not have done this without our
4 amazing partners. The NACs and the
5 housing counseling agencies, VIP, CLS,
6 everybody really rose to the occasion to
7 roll up their sleeves, to work together,
8 to work in cooperation to get these
9 programs up and running, then to get the
10 word out on the street and then to
11 assist tenants with being able to fill
12 out the information, to man help desks,
13 to be able to work with landlords,
14 everybody.

15 And so, we are taking a chunk
16 of our CDBG COVID dollars. We will
17 fully fund the Eviction Diversion
18 Program through our housing counseling
19 agencies and VIP and some other folks
20 through Fiscal Year '21 at least, and we
21 are going to provide funds so that we
22 can build the capacity of our housing
23 counseling agencies.

24 Again, I want to say how
25 important they were. Before we were

1 able to identify operating supports, we
2 needed to get the eviction diversion
3 portal up and running. We needed to get
4 the rental assistance programs up and
5 running. And these partners on good
6 faith said, don't worry, we are all in,
7 we are all hands on deck, we are going
8 to help figure this out and get this
9 work done and we trust that you will at
10 some point be able to make us whole
11 operation-wise. And we've been able to
12 do that, but they really -- again, it's
13 just an amazing effort to watch how
14 everybody came together and said, really
15 the only way we're going to get through
16 this as a City is if we come together in
17 community and I cannot thank all our
18 partners enough.

19 COUNCILWOMAN GAUTHIER: Thank
20 you so much.

21 If there are no more questions
22 for Anne, we're going to move on to our
23 next witness. This --

24 MS. FADULLON: Councilwoman,
25 Councilmember Jones has his hand up.

1 Sorry. Didn't mean to interrupt there.

2 COUNCILWOMAN GAUTHIER: Go
3 ahead. Go ahead, Councilmember.

4 COUNCILMAN JONES: (Muted).

5 COUNCILWOMAN GAUTHIER: You're
6 on mute.

7 COUNCILMAN JONES: Thank you,
8 Madam Chair.

9 I wasn't going to say anything,
10 but I feel compelled as now, God help
11 me, one of the senior members of
12 Council, that a lot of times what people
13 don't understand in the public and nor
14 should they, nor should they, things
15 don't just happen. It takes a lot of
16 moving parts to get stuff done and it
17 takes a lot of cooperation to make those
18 moving parts work together.

19 And what I'm proud of right
20 now, I kind of feel like a proud father
21 in some sense, to see people have come
22 into this body that have agendas, that
23 are leaders in their own right, to merge
24 their individual egos for the common
25 good.

1 And I want to salute my
2 Chairwoman here for having to navigate a
3 lot of that and still maintain focus on
4 who we are here to serve, and that is
5 the public. And at the end of the day,
6 what is being produced today both
7 through the Administration and through
8 this Committee and through City Council
9 is meaningful help, real help for real
10 people out there. Real help. This is
11 not a slogan or a hashtag. This is real
12 help for real people.

13 And on the Administrative side,
14 on the Council side, I am proud to be a
15 part of this body today. So that's all
16 I have, Madam Chair.

17 COUNCILWOMAN GAUTHIER: Thank
18 you and thank you for all of your help
19 navigating these conversations as well.

20 Vikram Patel, are you there and
21 connected?

22 MR. PATEL: I am indeed.

23 COUNCILWOMAN GAUTHIER: Can you
24 please state your name for the record
25 and proceed with your testimony.

1 MR. PATEL: Sure, yeah. Well,
2 good afternoon. Thank you, everyone.
3 My name is Vik Patel. I'm an attorney
4 with the Housing Unit at Community Legal
5 Services and I'm here to speak in
6 support of the bills before the
7 Committee today. With the continued
8 worsening of the pandemic, these bills
9 are needed to ensure that Philadelphians
10 have access to safe housing while giving
11 them the time that they need to get back
12 on their feet.

13 But first, I express our
14 gratitude to Councilmembers Brooks,
15 Gauthier and Gym for introducing these
16 bills, in addition to introducing the
17 bills that originally compose of the
18 Emergency Protection Act. But in light
19 of many of the things that we've heard
20 announced today, also similar thanks to
21 all of you. All of you have done so
22 much work in this area to get these
23 programs that were announced today
24 passed, but also we would like to thank
25 you for the work that you did over the

1 summer.

2 Over the summer, you took the
3 much needed action of unanimously
4 passing the Emergency Housing
5 Protections Act. And today we're asking
6 you to once again vote to protect
7 Philadelphians like you already have.

8 Now, back in June when City
9 Council was discussing the passage of
10 the Emergency Housing Protections Act, I
11 don't think any of us expected the
12 pandemic to be hitting Philadelphia even
13 harder now than it was back then. And
14 right now the daily cases recorded are
15 about three to four times what they were
16 over the summer. On November 5th, we
17 had 401 new cases compared to 126 new
18 cases on June 5th, which was the day
19 that this Committee passed five of the
20 EHPA bills. And over the past two
21 weekends, we've seen 1,000 new cases
22 each weekend. Evicting a tenant right
23 now is dangerous and even more dangerous
24 than it was over the summer.

25 Now, we have seen and will

1 continue to see that Philadelphia's
2 economy is tied to the spread of COVID-
3 19. Now, while some people have slowly
4 returned to work, many renters are still
5 struggling to cover their expenses.
6 Philadelphians need access to reasonable
7 repayment plans. It will be devastating
8 for both tenants and the City as a whole
9 if tenants were required to immediately
10 pay back the rent in order to avoid an
11 eviction.

12 In addition, landlords cannot
13 be allowed to collect late fees right
14 now while we're still being affected by
15 the pandemic. It's going to take time
16 for tenants to recover and for them to
17 pay off back rent. Late fees will just
18 make that a hole that no one can climb
19 out of. We need to extend the period
20 for the EPHA late fee waiver and the
21 mandatory repayment plan so that they
22 can work in tandem with the Diversion
23 Program.

24 And with the pandemic hitting
25 the Philadelphia even harder than it did

1 this summer, we need these protections
2 now more than ever. So we strongly urge
3 you to vote for the bills before the
4 Committee today. Thank you.

5 COUNCILWOMAN GAUTHIER: Thank
6 you so much for your testimony.

7 Brianna Westbrooks, are you
8 there and connected? You are there.
9 But are you muted?

10 MS. WESTBROOKS: Yes, I am here
11 now. Hi, Councilmember.

12 COUNCILWOMAN GAUTHIER: Hi.
13 Can you please state your name for the
14 record and proceed with your testimony.

15 MS. WESTBROOKS: Absolutely.
16 Good afternoon, Chairperson Gauthier and
17 members of the Committee. My name is
18 Brianna Westbrooks and I am the
19 Government Affairs Manager with the
20 Pennsylvania Apartment Association.

21 I would like to start my
22 testimony by thanking the members of the
23 Committee, thanking the Administration
24 and all the partners and actors that
25 have kind of come together to really

1 help a lot of Philadelphians out right
2 now. I'm very excited to hear about all
3 the new programming and resources that
4 are available that I think will help a
5 lot of landlords and renters throughout
6 the City. So I want to start off by
7 extending my gratitude towards that.

8 I'll be brief. I just want to
9 highlight a few things that are in some
10 of the bills that are in front of you
11 today. You've heard a lot of what PAA
12 thinks about the bills. Bill 200421,
13 which was introduced by Councilmember
14 Gauthier as written, would extend an
15 iteration that residents with COVID-19
16 financial hardships would qualify for
17 mandated payment plans.

18 We requested an amendment that
19 specified that established payment plans
20 cannot be retroactively altered. And we
21 appreciate that after conversations with
22 Councilmember Gauthier's office that our
23 concerns have been addressed with that
24 bill.

25 Also, I want to briefly mention

1 Councilmember Brooks' legislation that
2 would extend late fees for residents of
3 COVID-19 hardships. We completely agree
4 that Philadelphians facing COVID-19
5 hardships must have a grace period, but
6 we do also want to acknowledge that
7 landlords are small businesses too and
8 we have to be mindful of some of the
9 challenges that they are facing during
10 this time.

11 And I want to pivot and kind of
12 conclude with where we kind of are going
13 in the future. Really appreciative of
14 the rental assistance that has already
15 been dedicated towards landlords and
16 renters and I think will really help a
17 lot of people during this time.

18 Looking forward, I know for the
19 Pennsylvania Apartment Association it is
20 a priority for us on the state level to
21 advocate for more funding and to make
22 changes to the program and make it
23 easier to use and to optimize
24 participation for both landlords and
25 tenants. And then also looking forward

1 on the federal level, it's increasingly
2 looking like we'll have a new
3 Administration, so working with Congress
4 and the Administration to get federal
5 dollars to dedicate towards assistance
6 too because we know that this is going
7 to be an ongoing issue.

8 So I want to thank all the
9 members of the Committee for your time
10 and consideration regarding these bills
11 and I'm looking forward to continuing
12 the work to find additional resources
13 and solve the issues that we are facing
14 as a City, so thank you so much for your
15 time.

16 COUNCILWOMAN GAUTHIER: Thank
17 you. Reverend Gregory Holston, are you
18 there and connected?

19 REVEREND HOLSTON: Yes, I am.

20 COUNCILWOMAN GAUTHIER: Can you
21 please state your name for the record
22 and proceed with your testimony.

23 REVEREND HOLSTON: I'm Reverend
24 Gregory Holston. I am the Senior Pastor
25 of Janes Memorial United Methodist

1 Church in the Germantown section of
2 Philadelphia. First of all, just trying
3 to digest everything that's happened
4 this morning and all of the good news
5 that was shared by the Chairperson as
6 well as others from the Administration,
7 and I'm thankful for that good news.

8 I'm thankful for the court's
9 moratorium to continue at least in some
10 of these cases and all the workers that
11 have been gathered together to give
12 assistance for those who are in need.

13 I'm standing here also committed to
14 continuing to support all of these bills
15 and here are the reasons why I'm the
16 most concerned.

17 And let me, if I could, go
18 through a story and explain what many of
19 you already know. About four or five
20 years ago, the church I was pastoring at
21 Broad and West Moreland Streets, someone
22 was shot and killed right in front of
23 our congregation, on our church and
24 staggered across the street.

25 That picture of that individual

1 was sent out through social media, so it
2 was horrifying to see our church, and
3 this individual losing their life. I
4 asked in the community what was
5 happening with this individual, did
6 anybody know him. He was not from the
7 nearby area. But we found out that he
8 was homeless. And out of him being
9 homeless and with no resources, he got
10 into drug activity as a way of trying to
11 get enough resources to have housing.

12 He lived basically in the
13 garbage dump nearby the church. His
14 clothes were disheveled. And he was
15 trying to sell drugs on the corner when
16 someone who was from that community took
17 his life because he was out of their
18 territory. He was from another area.

19 When you take people out of
20 their homes for whatever reason, it will
21 lead to more gun violence. It will lead
22 to more people being killed on the
23 streets. And I would dare say if we
24 allow these kinds of evictions to go
25 forward, it will increase the gun

1 violence in a way that all of our
2 discussions with law enforcement could
3 not decrease. The policies you set
4 around resources and how they're used in
5 our City has far more dramatic effect on
6 the number of people that are shot and
7 killed in our City.

8 And so, when we look at these
9 kinds of policies, and again I'm
10 thankful to hear the resources being put
11 together, it is to be very mindful that
12 all of these things are linked together
13 and we cannot end our gun violence by
14 evicting thousands of people from their
15 homes. Thank you so much.

16 COUNCILWOMAN GAUTHIER: Thank
17 you so much for that testimony and for
18 making it clear that these issues are
19 intricately tied together.

20 Are there any questions or
21 comments from members of the Committee
22 for this panel?

23 (No response.)

24 COUNCILWOMAN GAUTHIER: Okay.
25 With that, Mr. Weiss, can you please

1 call the next panel or witness to
2 testify.

3 THE CLERK: Sure. We're moving
4 into public testimony and we just have
5 one witness, Crystal Cole.

6 COUNCILWOMAN GAUTHIER: Okay.
7 Crystal, are you there and connected?

8 THE CLERK: I think Council
9 Support might be calling her in now.

10 COUNCILWOMAN GAUTHIER: Okay.
11 We will give her a second.

12 MS. COLE: Hello.

13 COUNCILWOMAN GAUTHIER: Hi,
14 Crystal. You are in the Housing
15 Committee hearing. Can you please state
16 your name for the record and proceed
17 with your testimony.

18 MS. COLE: Hi. Yes. My name
19 is Crystal Cole. Thank you. So I want
20 to speak on the eviction moratorium. I
21 lived in Philadelphia in my property, my
22 home, in 1995. I lived there for over
23 25 years. In 2017 I had to rent it out.

24 The young lady, her lease was
25 up in May of 2019. Long story short, I

1 had to evict her. She would not leave
2 voluntarily at the end of her lease. I
3 served eviction proceedings with
4 criminal damages, for drugs, illegal
5 drugs, illegal people, a lot of other
6 things in October. The tenant didn't
7 show for court, but filed an appeal.

8 She was granted the appeal and
9 did not show for the appeal. I got the
10 alias writ and was given a court date.
11 She went and filed a supersedeas and she
12 was supposed to be evicted in February.
13 The lockout was scheduled in February.
14 She went and asked for more time and
15 said that she would be out by March
16 15th. They granted her until March
17 15th.

18 The eviction was scheduled for
19 March 16th. She of course never left as
20 the moratorium happened on March 16th.
21 The tenant has since changed the locks,
22 moved out and had her brother living
23 there and got a pit bull. They will not
24 allow entry into the house and assaulted
25 me, assaulted the neighbors, pulled out

1 gun -- I have all of this in the police
2 reports, and of course is not paying
3 rent. There's a lot more to this story.
4 And I know everyone is pressed for time.
5 So that's the long end of story of my
6 situation.

7 I also wanted to just say as a
8 side note I was diagnosed with cancer.
9 And this year has been truly hard
10 because throughout this year, I've had
11 to have surgery, chemo and radiation.
12 And I am not saying I don't disagree
13 with the eviction moratorium. But my
14 request is today -- I'm sorry. That was
15 my daughter.

16 My request today is that it not
17 be a blanket eviction moratorium. I
18 understand that due to COVID-19 some
19 people are very much struggling. Every
20 case is not that case and this is not
21 that case. This tenant has cost me a
22 lot of money. But more so than that,
23 like I said it's my property that I paid
24 and lived there for 25 years. I don't
25 know how much longer I can bear the

1 burden or the brunt of this unfortunate
2 situation.

3 So when you consider extending
4 the eviction moratorium, please consider
5 not doing a blanket eviction moratorium
6 because some people I feel like deserve
7 to be evicted. My original tenant, the
8 young lady I'm speaking about, has moved
9 out but she has left her brothers on the
10 property and they are not going to move,
11 and I cannot physically evict them
12 without the okay from the sheriff so
13 that the sheriff can help me. So I'm
14 just asking you for your help just not
15 to be a blanket eviction moratorium.
16 That's all I really wanted to say and I
17 thank you all for your time today.

18 COUNCILWOMAN GAUTHIER: Thank
19 you so much, Crystal. I can hear the
20 pain in your voice and I'm very sorry
21 for your situation.

22 And I did want to say for the
23 record the eviction moratorium bill that
24 was passed originally through Council
25 and that was being considered, it never

1 allowed for property damage or harm to
2 other persons on the property, so those
3 activities would have been excluded.
4 And so, it wasn't a blanket moratorium
5 in that way. But I'm very sorry for
6 your experience and I really do thank
7 you for testifying today.

8 MS. COLE: Yeah. No worries.
9 And I thank you for that. I just wanted
10 to say that I know everyone is trying to
11 do what they can for these people
12 impacted by COVID-19 and I totally
13 respect that and I want that, but I just
14 wanted to say my peace. And I thank you
15 all for your time and all that we're
16 going through. Have a good day.

17 COUNCILWOMAN GAUTHIER: We
18 appreciate you. Before you hang you, I
19 think Councilmember Quinones-Sanchez
20 wanted to say something to you.

21 MS. COLE: Oh, okay. Thank
22 you.

23 COUNCILWOMAN QUINONES-SANCHEZ:
24 Thank you so much. And I just want to
25 assure you that the extension granted by

1 the President Judge specifically allows
2 for these orders to continue and it is
3 very deliberate in exempting tenants who
4 create property damage, criminal conduct
5 or who have already vacated the
6 premises. So I suggest that you go back
7 to court and go through that procedure
8 so that you can deal with your
9 situation. And thank you for your
10 patience and understanding and your
11 perspective as you've approached this.
12 But with the extension, your case can
13 still move forward.

14 MS. COLE: Okay. That's what I
15 was going to say because that's when I
16 reached back out to the landlord tenant
17 officer because it was supposed to start
18 again on the 8th, and she informed me
19 that she was not scheduling any
20 evictions until after this hearing
21 today, because she didn't want to
22 schedule another lockout for me because
23 it's been like four lockouts scheduled.
24 She didn't want to schedule it again and
25 then this meeting they say it's a

1 blanket eviction moratorium. So I
2 appreciate that. I appreciate you all
3 again.

4 COUNCILWOMAN GAUTHIER: Thank
5 you.

6 MS. COLE: Thank you. Have a
7 great day.

8 COUNCILWOMAN GAUTHIER: Okay.
9 All right. There being no further
10 questions from members of the Committee
11 and no other witnesses to testify, I
12 will ask if there is anyone else present
13 in this hearing whose name we have
14 failed to call and that wishes to offer
15 testimony on any of the bills being
16 considered today?

17 (No response.)

18 COUNCILWOMAN GAUTHIER: Hearing
19 none, I want to thank all the panels and
20 witnesses for your participation today.
21 We value your opinion. I now invite all
22 panels and witnesses to please
23 disconnect from the meeting before we go
24 into our public meeting.

25 We will now pause the

1 proceedings briefly as multiple
2 participants leave the hearing.

3 (Brief recess.)

4 COUNCILWOMAN GAUTHIER: This
5 concludes the public hearing of the
6 Committee. We will now go into a public
7 meeting to consider the action to be
8 taken on the bills before this Committee
9 today. Can I also ask (inaudible).

10 The Chair recognizes
11 Councilmember Jones for a motion on the
12 amendment to Bill No. 200420.

13 THE CLERK: Councilmember --
14 sorry. Do you mind if I call roll
15 really quick just for quorum for the
16 record?

17 COUNCILWOMAN GAUTHIER: I'm
18 sorry. Yes.

19 THE CLERK: Councilmember
20 Jones.

21 COUNCILMAN JONES: Present.

22 THE CLERK: Councilmember
23 Quinones-Sanchez.

24 COUNCILWOMAN QUINONES-SANCHEZ:
25 Present.

1 THE CLERK: Councilmember

2 Gilmore Richardson.

3 COUNCILWOMAN GILMORE

4 RICHARDSON: Present.

5 THE CLERK: Councilmember Domb.

6 COUNCILMAN DOMB: Present.

7 THE CLERK: Councilmember Bass.

8 COUNCILWOMAN BASS: Present.

9 THE CLERK: Councilmember

10 Brooks.

11 COUNCILWOMAN BROOKS: Present.

12 THE CLERK: Councilmember

13 Squilla.

14 COUNCILMAN SQUILLA: Present.

15 I'm here.

16 COUNCILWOMAN GAUTHIER: Thank

17 you so much. Now, I'll go into the

18 public meeting.

19 The Chair recognizes

20 Councilmember Jones for a motion.

21 I'm getting some very weird

22 feedback, so I'll ask if you are not

23 speaking if you can please mute. Hello?

24 For all the participants on the line, if

25 you are not speaking if you can make

1 sure that you're on mute. It will help
2 the meeting flow more easily and help
3 people to hear. Okay.

4 The Chair recognizes
5 Councilmember Jones for a motion on the
6 amendment to Bill No. 200420.

7 COUNCILMAN JONES: (Muted).

8 COUNCILWOMAN GAUTHIER: You
9 have to unmute yourself now.

10 COUNCILMAN JONES: I keep
11 unmuting myself and someone keeps muting
12 me back. Thank you, Madam Chair.

13 I move that Bill No. 200420 as
14 amended be reported from this Committee
15 with a favorable recommendation and
16 further move that the rules of Council
17 be suspended to permit first reading of
18 this bill at our next session of
19 Council.

20 COUNCILWOMAN GAUTHIER: Wait a
21 second. I think we missed a step. Did
22 we need to move for the amendment first,
23 that part in the script?

24 COUNCILMAN JONES: So what I
25 said was I move that -- oh, no, we

1 didn't amend it. Sorry. I stand
2 corrected, Madam Chair.

3 COUNCILWOMAN GAUTHIER: That's
4 okay.

5 COUNCILMAN JONES: Thank you,
6 Madam Chair. I offer an amendment to
7 Bill No. 200420. A copy of this
8 amendment has been circulated to all
9 members of City Council and I move that
10 we approve the amendment to Bill No.
11 200420.

12 COUNCILWOMAN QUINONES-SANCHEZ:
13 Second.

14 COUNCILWOMAN GAUTHIER: It has
15 been moved and properly seconded that
16 the amendment to Bill No. 200420 be
17 approved. All those in favor of the
18 motion will signify by saying aye.

19 (Aye.)

20 COUNCILWOMAN GAUTHIER: Those
21 opposed?

22 (No response.)

23 COUNCILWOMAN GAUTHIER: The
24 ayes have it. The motion carries. And
25 the amendment to Bill No. 200420 has

1 been approved.

2 The Chair recognizes
3 Councilmember Jones for a motion on Bill
4 No. 200420 as amended.

5 COUNCILMAN JONES: Thank you,
6 Madam Chair. I move that Bill No.
7 200420 as amended be reported from this
8 Committee with a favorable
9 recommendation and further move that the
10 rules of Council be suspended to have
11 first reading of this bill at our next
12 session of Council.

13 COUNCILWOMAN QUINONES-SANCHEZ:
14 Second.

15 COUNCILWOMAN GAUTHIER: It has
16 been moved and properly seconded that
17 Bill No. 200420 as amended be reported
18 from this Committee with a favorable
19 recommendation and further move that the
20 rules of Council be suspended to permit
21 first reading of this bill at the next
22 session of Council.

23 All those in favor of the
24 motion will signify by saying aye.

25 (Aye.)

1 COUNCILWOMAN GAUTHIER: Those
2 opposed?

3 (No response.)

4 COUNCILWOMAN GAUTHIER: The
5 ayes have it and the motion carries.

6 The Chair recognizes
7 Councilmember Jones for a motion on the
8 amendment to Bill No. 200421.

9 COUNCILMAN JONES: Thank you,
10 Madam Chair.

11 I offer an amendment to Bill
12 No. 200421. A copy of this amendment
13 has been circulated to all members of
14 the Committee and I move for the
15 amendment to be approved, No. 200421 be
16 approved.

17 COUNCILWOMAN QUINONES-SANCHEZ:
18 Second.

19 COUNCILWOMAN GAUTHIER: It has
20 been moved and properly seconded that
21 the amendment to Bill No. 200421 be
22 approved.

23 All those in favor of the
24 motion will signify by saying aye.

25 (Aye.)

1 COUNCILWOMAN GAUTHIER: Those
2 opposed?

3 (No response.)

4 COUNCILWOMAN GAUTHIER: The
5 ayes have it. The motion carries. And
6 the amendment to Bill No. 200421 has
7 been approved.

8 The Chair recognizes
9 Councilmember Jones for a motion on Bill
10 No. 200421 as amended.

11 COUNCILMAN JONES: Thank you
12 again, Madam Chair.

13 I move that Bill No. 200421 as
14 amended be reported from this Committee
15 with a favorable recommendation and
16 further move that the rules of Council
17 be suspended to permit next reading at
18 our next session of Council.

19 COUNCILWOMAN QUINONES-SANCHEZ:
20 Second.

21 COUNCILWOMAN GAUTHIER: It has
22 been moved and properly seconded that
23 Bill No. 200421 as amended be reported
24 from this Committee with a favorable
25 recommendation and further move that the

1 rules of Council be suspended to permit
2 first reading of this bill at the next
3 session of Council.

4 All those in favor of the
5 motion will signify by saying aye.

6 (Aye.)

7 COUNCILWOMAN GAUTHIER: Those
8 opposed?

9 (No response.)

10 COUNCILWOMAN GAUTHIER: The
11 ayes have it and the motion carries.

12 Bill No. 200414 is being held
13 at the request of the sponsor because
14 the sponsor declined to accept an
15 amendment to make the eviction
16 moratorium applicable only to tenants
17 with the COVID-19 hardship.

18 This concludes the business of
19 the Committee on Housing, Neighborhood
20 Development and The Homeless for today.
21 Thank you all very much for your
22 attendance. Thanks, everyone.

23 COUNCILMAN SQUILLA: Thank you
24 all. Great job, Madam Chair.

25 COUNCILMAN DOMB: Thank you.

1 COUNCILWOMAN GAUTHIER: Thank
2 you everyone for your hard work. Have a
3 great day.

4 (Committee on Housing,
5 Neighborhood Development and The
6 Homeless concluded at 3:10 p.m.)

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

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

TANEHA C. CARROLL
Court Reporter - Notary Public

(The foregoing certification of
this transcript does not apply to any
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Committee on Housing, Neighborhood Development and the Homeless
November 6, 2020

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