

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LICENSES AND INSPECTIONS

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, February 12, 2015
3:40 p.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN ED NEILSON
COUNCILMAN DAVID OH
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILLS 130253, 140944, and 150008

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1
2 COUNCILWOMAN SANCHEZ: We're
3 going to call the Committee on License
4 and Inspections to order. If you are
5 here to testify on any bill and you did
6 not pre-register, can you please see us
7 on the side.

8 The Committee on Licenses and
9 Inspections will now be called to order.
10 Having established a quorum, to my left
11 Councilman Bill Greenlee, to my right
12 Councilman Neilson and joining us
13 Councilman Henon.

14 I'm going to have the Clerk
15 read the bill and then I will have the
16 bill sponsor make some remarks.

17 COUNCILWOMAN BROWN: Thank you.

18 COUNCILWOMAN SANCHEZ: Will the
19 Clerk read the title of the bill.

20 THE CLERK: Bill No. 140944, an
21 ordinance amending Subcode "A" of Title 4
22 of The Philadelphia Code, entitled "The
23 Philadelphia Administrative Code," by
24 amending Section A-907, entitled "Zoning
25 Fees," by revising certain zoning fees

1 2/12/15 - L&I - BILL 140944, etc.
2 for family and group day cares, under
3 certain terms and conditions.

4 COUNCILWOMAN SANCHEZ: I'm
5 going to recognize Councilwoman Blondell
6 Reynolds Brown, who is the sponsor of the
7 bill, for remarks before we will take
8 testimony from Rebecca Swanson, Director
9 of L&I, and Shawn Towe from the PCCY.

10 So Councilwoman Blondell
11 Reynolds.

12 COUNCILWOMAN BROWN: Thank you,
13 Madam Chairwoman.

14 On November the 24th, 2014, I
15 was proud to introduce Bill No. 140944
16 co-sponsored by Councilman W. Wilson
17 Goode and yourself, Chairwoman Maria
18 Quinones-Sanchez, which exempts group day
19 care providers from a use registration
20 permit fee and further exempts families
21 and group day care providers from fees
22 for an appeal to the Zoning Board of
23 Adjustment in the event of a denial.

24 It became abundantly clear
25 after a number of meetings with childcare

1 2/12/15 - L&I - BILL 140944, etc.
2 providers that the application and appeal
3 fees are a major barrier for those
4 wanting to provide childcare. We have a
5 wealth of data that shows affordable
6 accessible childcare offers significant
7 lifelong benefits to children. It is a
8 game-changer for working parents,
9 impacting when, where, and how often a
10 parent can provide work to provide for
11 the family. This measure will ease one
12 of the many burdens of providing
13 childcare services to deserving families.

14 Furthermore, a 2013 report by
15 advocacy group Child Care Aware of
16 America ranked Pennsylvania the 18th most
17 expensive state in the nation for
18 childcare based on percentage of median
19 income. Childcare costs consume 12
20 percent of total income for the median
21 Pennsylvania married couple and 43
22 percent of income for families headed by
23 single moms.

24 This legislation is another
25 step in the right direction to ensure the

1 2/12/15 - L&I - BILL 140944, etc.

2 continued growth and access to

3 high-quality childcare in Philadelphia.

4 For that reason and more, I'm asking for
5 your support on this bill.

6 Again, I want to thank my

7 staff, Hadji Maloumian, the

8 Administration, and leaders of the

9 childcare community for all the work

10 we've put together on this measure.

11 I thank you, Madam Chairwoman.

12 COUNCILWOMAN SANCHEZ: Thank
13 you so much.

14 Rebecca Swanson.

15 (Witnesses approached witness
16 table.)

17 MS. SWANSON: Good afternoon,

18 Chairwoman Sanchez, members of the

19 Committee on Licenses and Inspections and

20 sponsor Councilwoman Reynolds Brown. My

21 name is Rebecca Swanson. I'm the

22 Director of Policy and Legislative

23 Affairs for the Department of Licenses

24 and Inspections. I am pleased to have

25 the opportunity to provide testimony on

1 2/12/15 - L&I - BILL 140944, etc.

2 Bill No. 140944.

3 The Department supports this
4 bill, which amends Section A-907 of The
5 Philadelphia Administrative Code,
6 entitled "Zoning Fees." The bill would
7 exempt those who apply to the Department
8 for a use registration permit for a group
9 day care from applicable permit fees.
10 The bill would also exempt family and
11 group day care use registration permit
12 applicants from applicable fees for an
13 appeal to the Zoning Board of Adjustment
14 in the event of a permit denial.

15 The Department is prepared to
16 enforce these requirements should this
17 bill pass and become law.

18 Thank you for the opportunity
19 to provide the Department's testimony.
20 I'm happy to answer any questions at this
21 time.

22 COUNCILWOMAN SANCHEZ: Thank
23 you for your testimony.

24 Are there any questions for the
25 panel?

1 2/12/15 - L&I - BILL 140944, etc.

2 (No response.)

3 MS. TOWEY: Good afternoon.

4 Thank you for the opportunity to weigh in
5 on this bill today. I want to thank
6 Councilwoman Reynolds Brown for
7 introducing it and Councilmembers Goode
8 and Quinones-Sanchez for their
9 sponsorship. Today I'm speaking on
10 behalf of the Southeastern Pennsylvania
11 Early Childhood Coalition, or SEPECC, as
12 well as for Public Citizens for Children
13 and Youth.

14 As you know, the current bill
15 arose after childcare providers and
16 advocates came out last November to
17 oppose another bill, 140802, which was an
18 amendment to the Zoning Code that imposed
19 a greater burden on applicants for group
20 child care homes, and those are homes
21 that care for up to 12 children. The
22 vast majority of residences in the City
23 already were or are now as a result of
24 that law zoned such that applicants must
25 obtain a variance rather than a special

1 2/12/15 - L&I - BILL 140944, etc.
2 exception. Advocates opposed that zoning
3 change as an unnecessary, restrictive,
4 and burdensome requirement that increased
5 the cost to expand, because in most cases
6 the Zoning Board was requiring that they
7 be represented by an attorney. So the
8 current bill does not remove that
9 significant expense of having legal
10 representation, but it does help by
11 waiving the fee for the appeal.

12 In fact, the current bill goes
13 further than just covering the applicants
14 for group childcare. It waives the
15 zoning fees for all the new family
16 childcare homes. This is important
17 because family childcare homes are much
18 more common than group, and these very
19 small businesses have significant
20 start-up costs. They range from the food
21 safety test to child abuse clearances
22 that cost \$65 for every household member,
23 and there are additional health
24 assessments and tests as well.

25 These small businesses are

1 2/12/15 - L&I - BILL 140944, etc.
2 vital to the men and women who run them
3 as well as to the many families that
4 depend on them for a more personalized
5 and family-oriented childcare setting.
6 Currently, there are nearly 1,000
7 home-based providers -- I believe it's
8 950 -- who care for upwards of 6,000
9 young children in the City. Families
10 take advantage of the lower cost of
11 family childcare homes. Often parents
12 prefer a provider who is located close to
13 their home or work, especially if they
14 rely on public transit and, importantly,
15 our city's economy depends on a growing
16 low-wage service, health, and retail
17 sector in which workers cope as best as
18 they can with irregular and
19 non-traditional work schedules. Very few
20 large childcare centers offer flexible
21 hours or care on weekends or evenings
22 when these parents need it.

23 Although we support this bill,
24 we also feel that it's a small step and
25 that we as a city have to go the whole

1 2/12/15 - L&I - BILL 140944, etc.
2 mile. Philadelphia has a childcare
3 crisis. It's a crisis of quality and
4 affordability. The costs on average are
5 more than college tuition. So families
6 are unable to find good quality at a
7 price they can afford. Also, quality
8 providers can't afford to stay in
9 business if they're small in scale.

10 Last November when we testified
11 against that other bill, we were joined
12 by one of a very few family day care
13 providers in Lower Northeast who had a
14 Star 4, which is the highest rating.
15 This owner has a Master's degree in Early
16 Childhood Education, yet she made only
17 \$17,000 last year. She explained that
18 she was at her wit's end because of this
19 Catch-22, where maintaining a
20 high-quality childcare home was
21 financially unsustainable, but she also
22 couldn't afford the cost of expanding
23 either.

24 So the honest truth is that our
25 city has way too many family and

2/12/15 - L&I - BILL 140944, etc.
center-based providers that just meet the
basic licensing requirements, which are
based solely on health and safety. Fewer
than one in ten family day care providers
is actually rated high quality on
Pennsylvania's quality improvement and
rating system, Keystone STARS. The
low-quality programs may be run by people
who love children, but they are basically
babysitting. They do little to develop
children's social, emotional, and
cognitive skills or help them build the
character that will allow them to
interact well with others, be ready to
learn when they start kindergarten, and
gain the 21st century skills that we need
in our workforce. High-quality programs
can do all these things and more.

Last year more than 220 million
childcare subsidy dollars flowed into our
city from state and federal funds. This
is a critical work support that helped
low-income working parents have reliable
and safe care, but four out of five of

1 2/12/15 - L&I - BILL 140944, etc.

2 those children with the subsidy were not

3 enrolled in a high-quality program.

4 Those families lost a huge opportunity to

5 get their kids ready for school, and

6 taxpayers lost a huge opportunity to save

7 millions in future costs, special

8 education, social service, and criminal

9 justice costs that we could be saving if

10 they all had a high-quality early

11 childhood experience.

12 So in sum, I think the demand

13 from parents for home-based care will

14 continue, but we must devise policies

15 that support them as small businesses and

16 help preserve their residential character

17 of the neighborhoods and, at the same

18 time, seek to guarantee that taxpayer

19 funds are used smartly to promote the

20 best outcomes for children.

21 I know that there are other

22 proposals that will in the coming weeks,

23 months attempt to address these problems

24 in one way or another, and I'm really

25 excited that so many Councilmembers have

1 2/12/15 - L&I - BILL 140944, etc.
2 joined this dialogue on how we can
3 address the childcare crisis. Right now
4 we believe the best way to do this would
5 be to mandate enrollment and continuing
6 progress in the state's Keystone STARS
7 program. The City can and should do more
8 to push all providers to attain the Star
9 3 or 4 rating system as possible, but
10 also to make sure that they have the
11 resources they need to build and maintain
12 this high quality.

13 In two weeks you will consider
14 allowing a ballot measure that could
15 create a platform to rally public support
16 for doing this, and it lays out a process
17 for doing so smartly. Please pass this
18 current bill, but also keep our eyes on
19 the prize. Our kids and our future
20 depend on it.

21 Thank you.

22 COUNCILWOMAN SANCHEZ: Thank
23 you very much.

24 Rebecca, for the record, do you
25 have a sense of how much we're talking

1 2/12/15 - L&I - BILL 140944, etc.

2 about in these waivers of fees?

3 MS. SWANSON: I do not, but I
4 can get that.

5 COUNCILWOMAN SANCHEZ: Okay.
6 If you can provide that.

7 MS. SWANSON: Absolutely.

8 COUNCILWOMAN SANCHEZ: I want
9 to make sure that when we're being
10 business friendly, we are documenting and
11 accounting for it. It's a good
12 initiative.

13 I want to mention because I
14 know when we talk about Keystone 3 and
15 Keystone 4, I think one of our challenges
16 is we need -- and I'm glad you mentioned
17 it -- to build the capacity and how do we
18 help people build that capacity to get to
19 Keystone 3 and 4, which is a very high
20 standard and not as easy as people think.
21 It is what we should be striving for, but
22 it's not as easy to get with some of the
23 folks. So we have to do more work on
24 that.

25 But thank you so much for

1 2/12/15 - L&I - BILL 140944, etc.

2 coming.

3 Any questions from the Council?

4 (No response.)

5 COUNCILWOMAN SANCHEZ: Seeing

6 none, will the Clerk read the title of

7 Bill 150008.

8 THE CLERK: Bill 150008, an

9 ordinance amending Subcode "A" of Title 4

10 of The Philadelphia Code, entitled "The

11 Philadelphia Administrative Code," as it

12 has been amended by Bill No. 140856, by

13 amending Chapter 9, entitled "Fees," by

14 revising the fees for licenses issued

15 under Chapter 9-3900 of The Philadelphia

16 Code, entitled "Property Licenses and

17 Owner Accountability," under certain

18 terms and conditions.

19 COUNCILWOMAN SANCHEZ: Thank

20 you.

21 Rebecca.

22 MS. SWANSON: Good afternoon,

23 Chairwoman Sanchez, members of the

24 Committee on Licenses and Inspections and

25 sponsor Councilman Henon. My name is

1 2/12/15 - L&I - BILL 140944, etc.

2 Rebecca Swanson and I am the Director of
3 Policy and Legislative Affairs for the
4 Department of Licenses and Inspections.
5 I am pleased to have the opportunity to
6 provide testimony on Bill No. 150008.

7 The Department supports this
8 bill, which revises Section A-906 of The
9 Philadelphia Administrative Code to
10 reflect the fees for certain property
11 licenses issued under Chapter 9-3900 of
12 The Philadelphia Code.

13 The Department is prepared to
14 enforce these requirements should this
15 bill pass and become law.

16 Thank you for the opportunity
17 to provide the Department's testimony on
18 Bill No. 150008. I'm happy to answer any
19 questions at this time.

20 COUNCILWOMAN SANCHEZ: Any
21 questions for our panelist?

22 Councilman Henon.

23 COUNCILMAN HENON: Thank you.

24 Thank you for your testimony. Could you
25 do me a favor, could you explain the

1 2/12/15 - L&I - BILL 140944, etc.
2 current fees for the various renters and
3 licenses in this bill that is currently
4 on the books?

5 MS. SWANSON: Absolutely.
6 Rental licenses, which are also known as
7 housing inspection licenses, they are \$50
8 a year for all dwelling units that are
9 being rented out, whether it's a
10 single-family, multi-family, condo,
11 hotel. They have to be renewed every
12 February.

13 For vacant lots and vacant
14 structures, both residential and
15 commercial, we currently charge \$150
16 annually. Again, they have to be -- it's
17 really a registration for us and it's
18 every February.

19 COUNCILMAN HENON: Does that
20 \$150 cover the administrative costs to
21 inspect and any other administration cost
22 that is tied to what's necessary to make
23 sure that our vacant property structures
24 and land is inspected properly?

25 MS. SWANSON: Vacant properties

1 2/12/15 - L&I - BILL 140944, etc.
2 are a much higher burden on the
3 Department than rental properties,
4 because we have to inspect them much more
5 often. We go out -- we try to get eyes
6 on all vacant properties multiple times
7 throughout the year, whether it's
8 residential, a lot or commercial, because
9 of the fluidity of vacant properties and
10 how quickly the conditions can change.
11 So there are certain properties where,
12 again, they have a vacant license, but
13 they need to -- we need to have our eyes
14 on them throughout the year. So that 150
15 in many cases, our costs will far exceed
16 that, depending on how many times the
17 inspector has to visit that property.

18 COUNCILMAN HENON: So in this
19 bill, it's at 300. We're setting it at
20 300. Does the Administration feel that
21 the exceeded administrative cost for the
22 reinspection and any other kind of admin
23 costs associated with it would be
24 justified at 300?

25 MS. SWANSON: We obviously

1 2/12/15 - L&I - BILL 140944, etc.
2 respect Council's decision to put it at
3 300 and if that is in the code. We do
4 believe that that extra money would give
5 us additional flexibility as far as not
6 losing money on these properties. Having
7 the flexibility to charge \$300 would help
8 us recoup more costs from the number of
9 times inspectors have to visit the
10 properties.

11 COUNCILMAN HENON: And how many
12 vacant structures, properties, and land
13 does the Administration feel that we have
14 here in the City of Philadelphia?

15 MS. SWANSON: The current
16 estimate is around 40,000.

17 COUNCILMAN HENON: About
18 40,000. And an inspector needs to go out
19 and inspect each one of these more than
20 once or possibly more than once?

21 MS. SWANSON: We attempt to
22 have eyes on all of them several times
23 throughout the year. Obviously you could
24 just do the math. That's a tall order
25 for the Department. But if a property is

1 2/12/15 - L&I - BILL 140944, etc.
2 vacant, it does require an additional
3 level of oversight because of the
4 problems that everyone knows can come
5 from vacant properties, that they can go
6 from being just a regular vacant home to
7 a dangerous structure in a matter of
8 weeks.

9 COUNCILMAN HENON: So currently
10 we charge 150, but the code is reflected
11 at 300; is that correct?

12 MS. SWANSON: That is correct.

13 COUNCILMAN HENON: Thank you.

14 COUNCILWOMAN SANCHEZ: I have a
15 question.

16 I'll acknowledge Councilman
17 Henon. I just want to acknowledge for
18 the record that Councilman David Oh has
19 joined us.

20 Will the eCLIPSE program help
21 us better monitor the cost per
22 maintenance by property?

23 MS. SWANSON: The eCLIPSE
24 program will do a lot, and as we're
25 building it, there are -- we are going to

1 2/12/15 - L&I - BILL 140944, etc.
2 be able to tie and be able to track more
3 closely the number of inspections a
4 property has received throughout the year
5 as opposed to the number of violations,
6 compliance, if it complied after one
7 inspection or two or three or if it had
8 to go to court. So we do anticipate that
9 eCLIPSE will really help us with those
10 type of calculations in the future.

11 COUNCILWOMAN SANCHEZ: As it
12 stands now, does the Department have a
13 cost per visit that it calculates?

14 MS. SWANSON: I mean, it can be
15 done through the inspector's salary, but,
16 again, it's difficult to determine
17 because some properties obviously require
18 more thorough inspection than others. So
19 it's never going to be an exact science.

20 COUNCILWOMAN SANCHEZ: Okay.

21 MS. SWANSON: But I can cost
22 that out if Council would like to see
23 that.

24 COUNCILWOMAN SANCHEZ: Yeah. I
25 think it's important that -- again,

1 2/12/15 - L&I - BILL 140944, etc.
2 that's why I ask will eCLIPSE better let
3 us monitor the properties. Clearly in
4 some parts of the City there are more
5 vacant properties than others, so the
6 cost factor there is different than
7 inspecting a property that may be one in
8 a particular area. So I wanted to know
9 if we're going to get to a place where we
10 could really quantify some of those
11 services.

12 I'm going to recognize
13 Councilman Neilson and then Councilman
14 Greenlee.

15 COUNCILMAN NEILSON: Thank you,
16 Madam Chair.

17 Ms. Swanson, did I just hear
18 your testimony say that you charge \$150;
19 however, the code says you're supposed to
20 charge \$300?

21 MS. SWANSON: That is correct.

22 COUNCILMAN NEILSON: And so is
23 that the Administration's that we charge
24 less than what's in the law?

25 MS. SWANSON: That is per court

1 2/12/15 - L&I - BILL 140944, etc.

2 order.

3 COUNCILMAN NEILSON: Per court
4 order. Can you explain that to the
5 panel, please.

6 MS. SWANSON: My understanding
7 is that in the past, Council actually
8 passed an ordinance raising the fee to
9 \$750, and a lawsuit ensued, and per court
10 agreement, we are under order from the
11 court to only charge \$150 for the
12 license. The code has remained at 300,
13 and the Administration has that
14 flexibility to go back to the court and
15 ask for the court agreement to be
16 adjusted so that we are able to charge
17 somewhere between 150, which the court
18 tells us we can charge now, up to the
19 \$300 permitted under the code.

20 COUNCILMAN NEILSON: If we
21 amend the Councilman's bill to say the
22 fee is 350, you still couldn't even
23 charge more than 150. Is that what
24 you're telling us?

25 MS. SWANSON: Currently due to

1 2/12/15 - L&I - BILL 140944, etc.

2 the court's order and our agreement with
3 the court, we can only charge 150.

4 COUNCILMAN NEILSON: When does
5 that agreement expire?

6 MS. SWANSON: That is an
7 excellent question I do not know the
8 answer to, but I can look at that for
9 you. But I do know that we have the
10 ability to go back to the court and, for
11 lack of a better word, petition the court
12 for an adjustment in that order, with
13 justification.

14 COUNCILMAN NEILSON: So for you
15 to do that, what would you need, a
16 resolution passed in Council to ask you
17 to go back to the court because you're
18 charging less than what the law requires?

19 MS. SWANSON: I don't believe
20 we would need Council to pass anything.
21 I believe we could just do that.

22 COUNCILMAN NEILSON: Is there
23 any intention to go back to the court to
24 do this?

25 MS. SWANSON: There are

1 2/12/15 - L&I - BILL 140944, etc.
2 discussions within the Administration
3 about that. I mean, it's obviously
4 something that we monitor and look at all
5 the time, and given the new -- not new,
6 but renewed focus on vacant properties
7 throughout the City, given the vacant
8 property strategy that we've seen a lot
9 of success with and, frankly, a lot of --
10 we do know that when we cite these
11 properties, the owners come in and get
12 licenses. There has been some momentum
13 to revisit whether or not it would be --
14 going back to the court would be a good
15 idea.

16 COUNCILMAN NEILSON: The
17 agreement that you made with the court to
18 charge less than the 300, what's that
19 costing the City per calendar year with
20 40,000 properties?

21 MS. SWANSON: As far as what
22 revenue we're not obtaining through the
23 licenses where we could have charged 300?

24 COUNCILMAN NEILSON: That you
25 agreed to surrender back, right? Because

1 2/12/15 - L&I - BILL 140944, etc.
2 this is an agreement that the
3 Administration made to agree to charge
4 less than what the law requires them to
5 charge?

6 MS. SWANSON: It was a court
7 order. We didn't agree to anything.

8 COUNCILMAN NEILSON: Oh, I
9 thought you said you got a court order
10 and you agreed to it.

11 MS. SWANSON: Well, we had to
12 sign it, but it was kind of coerced
13 signing there.

14 COUNCILMAN NEILSON: I
15 understand it was a court order, but you
16 said you agreed to it and you came up
17 with that number. That was an agreed-to
18 number instead of the 700. You agreed to
19 the 150.

20 MS. SWANSON: I believe we
21 agreed to 150 to not continue to be sued.

22 COUNCILMAN NEILSON: All right.

23 MS. SWANSON: The court forced
24 us to agree to that.

25 COUNCILMAN NEILSON: Fair

1 2/12/15 - L&I - BILL 140944, etc.

2 enough.

3 MS. SWANSON: We typically
4 issue approximately 4,000 to 4,500 vacant
5 property licenses per year.

6 COUNCILMAN NEILSON: Thank you.

7 MS. SWANSON: For 2014 it was
8 approximately 4,000.

9 COUNCILMAN NEILSON: Thank you.

10 COUNCILWOMAN SANCHEZ: That you
11 inspected?

12 MS. SWANSON: No; that we cited
13 for not -- I'm sorry; that had a vacant
14 property license. Four thousand had a
15 vacant property license. Obviously
16 everybody can do the math there. We have
17 some issues with property owners
18 obtaining the vacant property license
19 because -- and then we have a whole
20 other -- it's about a similar number,
21 about 3,500 to 4,500, that we cite
22 annually for not having the license.

23 COUNCILMAN NEILSON: So if we
24 would pass something in City Council to
25 raise that fee, say, back up to 300,

1 2/12/15 - L&I - BILL 140944, etc.
2 would that court order go away, that
3 agreement?

4 MS. SWANSON: Well, you
5 wouldn't need to because it is 300 in the
6 code. But, yeah, you guys can't
7 legislate away the court agreement or
8 court order, I don't believe.

9 COUNCILMAN NEILSON: Court
10 agreement or court order?

11 MS. SWANSON: Court order.
12 Sorry. I keep saying agreement, but it's
13 an order. I don't believe that you guys
14 can legislate that away, but I could be
15 wrong.

16 COUNCILWOMAN SANCHEZ:
17 Councilman Greenlee and then Councilman
18 Henon.

19 COUNCILMAN GREENLEE: Thank
20 you, Madam Chair.

21 I'm sorry if this question was
22 asked. I might have missed it. How many
23 inspectors are in the unit that inspect
24 this; do you know?

25 MS. SWANSON: Currently in our

1 2/12/15 - L&I - BILL 140944, etc.

2 Operations Division, we have spots for 60
3 inspectors.

4 COUNCILMAN GREENLEE: Sixty?

5 MS. SWANSON: Sixty. All those
6 spots are not currently filled obviously
7 with retirements and things like that.
8 The Commissioner is moving us toward a
9 model where we have dedicated vacant
10 property inspectors, and the goal would
11 be for there to be five. It's going to
12 be in our budget request, one for each of
13 our districts.

14 COUNCILMAN GREENLEE: You mean
15 five additional?

16 MS. SWANSON: So we would -- of
17 our -- we would basically pull out five
18 inspectors from our Operations Division
19 and they would be dedicated to looking at
20 vacant properties, and then their
21 positions within Operations would be
22 backfilled. The Commissioner feels very
23 strongly that obviously vacant properties
24 are a priority of the Department and that
25 those five individual inspectors would

1 2/12/15 - L&I - BILL 140944, etc.
2 focus solely on vacant properties in each
3 of the five districts.

4 COUNCILMAN GREENLEE: And if
5 those inspectors dedicate themselves just
6 to the vacant properties, how does that
7 affect the cost of what they're doing? I
8 guess what I'm getting at is, if you
9 intensify the inspections, that costs
10 more money, does it not, in that unit?

11 MS. SWANSON: There will be
12 more inspections of vacant properties
13 because of these inspectors. We're
14 moving to another phase of our proactive
15 inspections, which we did starting in
16 2011, completed it last year, and we're
17 doing another round of those. So there
18 will be more vacant property inspections,
19 and we anticipate finding more vacant
20 properties that the last time we did the
21 proactive inspection weren't vacant.

22 So, yes, we do believe that
23 there will be -- the increased number of
24 inspections is going to be -- of
25 properties that potentially could be

1 2/12/15 - L&I - BILL 140944, etc.
2 vacant that we will inspect will result
3 in more inspections overall, because
4 we'll have to go back to these properties
5 multiple times.

6 COUNCILWOMAN SANCHEZ: It's
7 part of the implementation for our vacant
8 property and dangerous vacant property
9 strategy, to be more aggressive and
10 proactive in the number of times we visit
11 them so that we don't have these
12 accidental properties that are falling
13 down. And so the Commissioner is looking
14 to build a more accountable unit within,
15 and that's been part of the discussion
16 with some of the reforms and the
17 recommendations, both with the Special
18 Committee and with the Oversight Board.

19 COUNCILMAN GREENLEE: I mean,
20 that all makes sense. I guess that's
21 what I was getting at to justify the
22 \$300. I mean, that money would be used
23 to help in the inspection of these
24 properties, correct?

25 MS. SWANSON: Yes. It allows

1 2/12/15 - L&I - BILL 140944, etc.
2 for the inspector -- the inspectors are
3 going out to these properties multiple
4 times because, as Councilwoman said,
5 if -- we want to catch them at this
6 point. We want to catch them when
7 they're just vacant, before they get to a
8 point where we're spending \$15,000 to
9 knock it down. So those increased
10 inspections on the front end
11 eventually --

12 COUNCILMAN GREENLEE: Save in
13 the long run.

14 MS. SWANSON: Exactly. And it
15 will allow us to go out more often and
16 keep an eye on the properties because,
17 frankly, the property owners don't do it.
18 Even if they have a license, they're not
19 looking at these properties every week,
20 every other week, even every month.
21 They're not around.

22 COUNCILMAN GREENLEE: So I
23 guess just one other thing. I'm not
24 trying to parse words here, but I think
25 in the beginning you said the

1 2/12/15 - L&I - BILL 140944, etc.
2 Administration, if we pass this, would
3 certainly enforce it. I guess the second
4 question is, is it the Administration's
5 opinion that they need the increase in
6 fees to do their job better?

7 MS. SWANSON: Sorry. When I
8 said that we would enforce it, I meant
9 like on the surface of exactly what
10 Councilman Henon was doing, which was
11 just moving it to the admin code from
12 where it is now. It's just cleaning up
13 and referring it back to Title 9, because
14 that's where the licensing was moved, out
15 of the PM Code.

16 So, yes. I mean, we will
17 enforce -- we enforce codes as written,
18 except for when they are superseded by
19 the court order. So if that court order,
20 for whatever reason, is changed, we
21 would -- and we were permitted to charge
22 up to 300, we would follow the code as
23 300.

24 COUNCILMAN GREENLEE: Okay.
25 Thank you.

1 2/12/15 - L&I - BILL 140944, etc.

2 COUNCILWOMAN SANCHEZ:

3 Councilman Henon.

4 COUNCILMAN HENON: Thank you,
5 Madam Chair.

6 COUNCILWOMAN SANCHEZ: I want
7 to recognize Councilwoman Bass who has
8 come into the room. I'm going to step
9 away. Councilman Greenlee will continue
10 to chair the meeting for me. Thank you.

11 COUNCILMAN HENON: Thank you,
12 Madam Chair.

13 I'm glad you touched on the
14 initial attempt for this being back in
15 committee, is for some technical changes
16 and rearranging into Title 9 with the
17 license fees from the PM Code. I am
18 very, very glad that the Department is
19 focused in -- I wouldn't say
20 reprioritizing, but refocusing on the
21 preventative measures of the vacant
22 structures and vacant properties that we
23 have here in the City. And I understand
24 that there is a cost to that, and it is
25 our responsibility to weigh that out and

1 2/12/15 - L&I - BILL 140944, etc.
2 see if the costs are justified on an
3 administrative level for the task at
4 hand. And I think that's what the
5 Councilmembers here were trying to wrap
6 their hands around, the renewed focus and
7 efforts for vacant properties, buildings,
8 and land and how we're inspecting them,
9 not necessarily down to the details but
10 that there is a focus and a carve-out
11 plan specifically for this instead of
12 doing multiple things at once, because
13 that would justify any kind of
14 administrative cost when it goes to --
15 when it comes to vacant properties and
16 vacant land.

17 MS. SWANSON: Exactly.

18 COUNCILMAN GREENLEE: Thank
19 you, Councilman.

20 Councilman Neilson.

21 COUNCILMAN NEILSON: I'm sorry.
22 I think I'm getting off track, but you
23 just brought up some great questions.
24 These five inspectors, one for each unit
25 that are going to be assigned, they're

1 2/12/15 - L&I - BILL 140944, etc.

2 going to be responsible for the 40,000
3 units. Is that what you said?

4 MS. SWANSON: So we're going to
5 have five -- right now all of our
6 inspectors do vacant property. All of
7 our Operations inspectors look at the
8 vacant properties in their census tracts
9 within their district. We're now going
10 to have five who do nothing but vacants
11 within their district.

12 COUNCILMAN NEILSON: But those
13 other inspectors will still also inspect
14 those vacancies or no?

15 MS. SWANSON: No. The
16 Commissioner's model -- and he feels very
17 strongly about proactive and the
18 preventive -- is to have that one
19 inspector be responsible for vacants so
20 that they're really intimately involved
21 with the type of violations and getting a
22 sense of how these properties progress.
23 They're going to be looking at them more
24 often now. Having that one person
25 dedicated, they'll be able to look at a

1 2/12/15 - L&I - BILL 140944, etc.
2 property more frequently. And they will
3 be basically putting eyes on what we're
4 having -- this kind of goes down a whole
5 other, but we're getting more data to
6 identify potential vacants.

7 COUNCILMAN NEILSON: Maybe we
8 can get together on that, because at that
9 number there, every 22 minutes your
10 inspector is going to have to see a
11 building, every 22 minutes. Twenty-two
12 per day every 22 minutes is going to have
13 to see one of these buildings. And you
14 can't even get from Point A to Point B in
15 a big city here. And that's just basic
16 math, Rebecca. I'm just doing a basic
17 math thing here, and that just doesn't
18 seem to me like you're dedicating enough
19 to this. I would ask that you go back to
20 the Commissioner and revisit that,
21 because even at double that, I mean, you
22 can't do an inspection in 22 minutes and
23 get to the next one.

24 MS. SWANSON: No, and it's
25 not -- some of these properties don't

1 2/12/15 - L&I - BILL 140944, etc.
2 need to have an eye on them all the time.
3 Obviously there's certain properties that
4 need a closer eye, so those take up more
5 of the time.

6 COUNCILMAN NEILSON: That's
7 just going through these properties once
8 a year, is every 22 minutes, once a year.
9 I'm just going by your numbers.

10 MS. SWANSON: No. I agree.

11 COUNCILMAN NEILSON: Now, are
12 we talking about the 40,000 or just the
13 4,000 that actually have licenses?

14 MS. SWANSON: We go to all of
15 them or we are -- we inspect all vacant
16 properties. And, again, that 40,000
17 number is also from 2010.

18 COUNCILMAN NEILSON: We could
19 have more now, right?

20 MS. SWANSON: I believe we have
21 less, frankly. Because of the efforts of
22 L&I's vacant property strategy, I do
23 believe that there are fewer. And so
24 it's an ongoing and it's kind of we're
25 doing it -- we're piloting it in the

1 2/12/15 - L&I - BILL 140944, etc.
2 spring. So it's always evolving, and we
3 will always be revisiting it if we need
4 to add additional resources to the
5 project, but for now the Commissioner --
6 we're starting a pilot program again,
7 because we've done it once and it was
8 very successful. So now we're doing it
9 again.

10 COUNCILMAN NEILSON: Thank you.

11 COUNCILMAN GREENLEE: Thank
12 you, Councilman.

13 Any other questions for
14 Ms. Swanson?

15 (No response.)

16 COUNCILMAN GREENLEE: Seeing
17 none, thank you. Stay here just in case
18 there's more questions.

19 COUNCILMAN NEILSON: In case I
20 want to talk to you after this.

21 COUNCILMAN GREENLEE: Anyone
22 else here to testify on this bill?

23 MR. ZASLOW: Yes, Mr. Chairman.

24 (Witness approached witness
25 table.)

1 2/12/15 - L&I - BILL 140944, etc.

2 COUNCILMAN GREENLEE: Go ahead.

3 MR. ZASLOW: Thank you. Thank
4 you.

5 COUNCILMAN GREENLEE: That's
6 why I asked. Please identify yourself
7 and proceed.

8 MR. ZASLOW: Thank you. My
9 name is Darrell Zaslow. I am legal
10 counsel to HAPCO, the Homeowners
11 Association of Philadelphia.

12 Mr. Chairman, members of the
13 Committee, the Homeowners Association of
14 Philadelphia stands firmly with City
15 Council against the scourge of vacant,
16 abandoned properties. Our organization
17 has been at the forefront of championing
18 the City's requirements for licensing of
19 rental properties, and we stand firmly
20 with the City in enforcement of the
21 codes, which place a great responsibility
22 on owners of property, especially owners
23 of vacant property.

24 As owners of real estate in the
25 City, primarily rental properties, our

1 2/12/15 - L&I - BILL 140944, etc.
2 owners are as aggrieved by blight as
3 anyone else in the City and, therefore,
4 we concur in the effort of the City to
5 require the procurement of a license
6 specific to a vacant property or a vacant
7 structure.

8 Our concern today is not over
9 the enforcement of the licensing law, but
10 rather the charge for what is a
11 ministerial act initially to go online
12 and to obtain a license. The same exact
13 website where you click on a \$50 license,
14 you have the same click-on now for a \$150
15 license.

16 The Committee may recall -- and
17 I've heard discussion of it in the prior
18 testimony from the City -- that City
19 Council attempted to raise this fee.
20 First it was \$30 and then it became \$50
21 and then it became \$300 and then it
22 became \$750, all of it bearing absolute
23 no relation to the actual cost of the
24 City of Philadelphia to issue the
25 license, and that, as we know, is the

1 2/12/15 - L&I - BILL 140944, etc.

2 legal standard, what is it costing the
3 City to issue the license.

4 City Council at that time
5 thought it best to enact those
6 ordinances, and we, my organization with
7 myself as lead counsel, was placed in the
8 uncomfortable position of approaching our
9 court system and suggesting that the fee
10 of \$300, which was then on the books, was
11 exorbitant and bore no relation
12 whatsoever to the actual cost of it, and
13 that's, as has been testified, at the end
14 of the day the license fee by court order
15 was reduced to \$150, which is where it is
16 as of this day.

17 We suggest to you that there's
18 been no cause for modification of this
19 \$150 license fee, which has been
20 instituted by the court under court
21 order. To suddenly double the fee we
22 feel is unwarranted.

23 I've heard good questions here
24 about mathematics and the 40,000 vacant
25 properties and \$300 for a vacant

1 2/12/15 - L&I - BILL 140944, etc.
2 property. So the City intends to charge
3 \$12 million for vacant property licenses.
4 And we hear that you have five inspectors
5 working very hard every day and they are
6 going to be charged with generating \$12
7 million. We think it is grossly
8 unreasonable.

9 In addition, there's a
10 difference between, as you know better
11 than anyone because you are tasked with
12 the difficulty of dealing with it, a
13 gigantic vacant warehouse somewhere here
14 in the City is very different than the
15 little row house that my clients own. A
16 big brown field that used to be some dump
17 site or a toxic waste site is very
18 different than a little 16 foot piece of
19 property next to a house here in
20 Philadelphia. So to equate and be mixing
21 in these cost of inspections is
22 inappropriate, because you're charging an
23 owner of a little house who happens to
24 have a vacant house because he can't rent
25 the house, couldn't find a tenant, the

1 2/12/15 - L&I - BILL 140944, etc.
2 property is vacant, and now you're going
3 to charge us as if we are some gigantic
4 brown field requiring inspections and man
5 hours.

6 The amount the Department is
7 currently expending actually on these
8 vacant property licenses should be what
9 the amount is. I contend it is less than
10 \$150. The court order is \$150. So
11 having litigated the matter and having
12 taken depositions of the Department and
13 having pored over the records of the
14 Department, which was my task as an
15 attorney, to figure out what are your
16 costs, the result was the \$150 was barely
17 justified, but that was the number. We
18 suggest that it should be kept there.

19 Again, I want to get back to
20 our important point of our standing with
21 you against the scourge of these vacant
22 properties, and for that purpose, we need
23 to remember there's no law against owning
24 a vacant property. There's no law
25 against having a lot that you haven't

1 2/12/15 - L&I - BILL 140944, etc.
2 built on. You're permitted to do that.
3 The problem is is when someone owns a lot
4 that becomes a dumping ground. The
5 problem is someone that owns a building
6 which is falling into disrepair. You can
7 own a vacant structure. You can own a
8 vacant lot, provided you're not in
9 violation of The Philadelphia Code. So
10 to the extent that you have an owner who
11 is not in violation of any code and for
12 him to be charged what will amount to \$12
13 million for the Department is grossly
14 overcharging.

15 At the same time, if you have
16 some property owner -- and we stand
17 against them -- who own a vacant piece of
18 property and it's a nuisance property and
19 it does have violations, that's why the
20 court system exists. The Department
21 knows well how to get the Law Department,
22 or whoever has to do it, go into court --
23 cite them first, cite them for the
24 violation, and if they fix the violation
25 or the fine, if they don't fix the

1 2/12/15 - L&I - BILL 140944, etc.
2 violation, which we hear testimony they
3 won't, I concede that, fine them, not
4 \$300. They have a violation of some
5 vacant structure that doesn't comply with
6 your code, charge them a thousand dollars
7 a day, which you have the power to do.
8 You can charge them \$50,000 a month.

9 So to put the burden of this
10 license fee on my organization's members,
11 which are mom and pop owners of
12 Philadelphia row housing and small lots,
13 we feel that it is a gross overcharge,
14 and the good efforts of the Department,
15 which we stand with them, to stop the
16 vacant housing and vacant lots from being
17 a problem can't be put on our members to
18 pay that \$12 million, which at the end of
19 day is what it's going to be. We suggest
20 to you that the court order, which has my
21 signature on it because I'm the one who
22 prepared it and has the signature of the
23 Deputy City Solicitor, the Chief Deputy,
24 and has the signature of a judge of our
25 Court of Common Pleas, that is what

1 2/12/15 - L&I - BILL 140944, etc.
2 should govern here, and that says \$150.
3 Unless somebody comes to you with real
4 justification for changing that fee, the
5 court order needs to stand. We'd like it
6 to stand. We will be your partner in
7 ensuring that all the other properties
8 get licensed. The problem is not the
9 4,000 of us who pay the fee. The problem
10 is the 36,000 people that are ignoring
11 you and not buying the license. That is
12 where the problem is. So the effort
13 should be to find these 36,000 owners of
14 vacant lots or properties that are not
15 clicking on to obtain the license and get
16 them to pay their share, not to have
17 those of us who pay the fee to bear the
18 whole \$12 million on our own.

19 So we appreciate your time. I
20 stand prepared to answer questions if
21 necessary, and we look to resolve this
22 problem with vigorous enforcement of the
23 code, not with overcharging for the
24 license that we have to obtain.

25 COUNCILMAN GREENLEE: Thank

1 2/12/15 - L&I - BILL 140944, etc.

2 you.

3 Councilman Neilson.

4 COUNCILMAN NEILSON: I'm sorry.

5 I got Darrell down. I didn't get your
6 last name.

7 MR. ZASLOW: Darrell Zaslow,
8 Z-A-S-L-O-W.

9 COUNCILMAN NEILSON: Thank you
10 for your testimony here.

11 So I guess you were the
12 attorney in -- there's nothing in this
13 legislation that you're testifying today
14 to change that fee, I believe. Is that
15 what you're thinking we're doing here,
16 changing the fee? Because it's \$150 for
17 the license, and L&I testified that we're
18 not allowed to change that fee.

19 MR. ZASLOW: Well, there's a
20 court order telling you you aren't --

21 COUNCILMAN NEILSON: Because
22 there's nothing in the legislation today
23 that changes that fee, right? It's my
24 understanding.

25 MR. ZASLOW: There is. The

1 2/12/15 - L&I - BILL 140944, etc.
2 legislation would make the fee \$300. The
3 court order is \$150.

4 COUNCILMAN NEILSON:
5 Ms. Swanson, if you could clarify that.
6 Didn't we just talk about that, that I
7 cannot do that?

8 MS. SWANSON: Well, the
9 legislation isn't changing the cost of
10 the license.

11 COUNCILMAN NEILSON: It's not
12 changing it.

13 MS. SWANSON: As Councilman
14 Henon said, the legislation itself that
15 we're talking about is just a technical
16 amendment. So it's just carrying over
17 that \$300 that was already existing in
18 the code.

19 MR. ZASLOW: The \$300 is a
20 violation of the court order.

21 COUNCILMAN NEILSON: The \$300
22 was written in the code yesterday and it
23 will be in again tomorrow if we pass this
24 legislation. However, the court order
25 prevents us from being able to charge

1 2/12/15 - L&I - BILL 140944, etc.

2 that, as you well stated.

3 MR. ZASLOW: Yes. That's
4 correct.

5 COUNCILMAN NEILSON: So it's at
6 \$150 until we go back into court to --

7 MS. SWANSON: Yes.

8 MR. ZASLOW: I would suggest
9 so.

10 COUNCILMAN NEILSON: All right.
11 I'm all right on that, right?

12 MS. SWANSON: Yes.

13 COUNCILMAN NEILSON: Thank you
14 for your testimony, Mr. Zaslow.

15 MR. ZASLOW: Thank you.

16 COUNCILMAN OH: You have won
17 again.

18 MR. ZASLOW: Thank you,
19 Councilman.

20 COUNCILMAN NEILSON: It's
21 already there.

22 COUNCILMAN GREENLEE: I get
23 that. I guess the question is,
24 Ms. Swanson, explain exactly if this bill
25 passes, what does it do?

1 2/12/15 - L&I - BILL 140944, etc.

2 MS. SWANSON: If this bill
3 passes as written right now?

4 COUNCILMAN GREENLEE: Yes.

5 MS. SWANSON: Moves license
6 fees into the admin code and basically
7 just follows with what Councilman Henon
8 has done before of moving licensing fees
9 into Title 9. It's getting licensing out
10 of the PM Code.

11 COUNCILMAN GREENLEE: So as you
12 said, it's administrative.

13 So, Mr. Zaslow, this bill
14 doesn't change anything as far as the
15 argument you're making, correct?

16 MR. ZASLOW: If the end result
17 is that the proper movement of where it
18 is into the code, which Councilman Henon
19 has worked on so diligently, and still
20 charging \$150, then we have no objection.

21 COUNCILMAN GREENLEE: All
22 right. Okay.

23 Councilman Henon.

24 COUNCILMAN HENON: Thank you,
25 Mr. Chairman.

1 2/12/15 - L&I - BILL 140944, etc.

2 And I think for the record, it
3 is as simple as that. We're moving
4 provisions and sections of the code into
5 another part to make it less cluttery, a
6 little more easier, a lot more consistent
7 in having all the license fees being in
8 Title 9 as opposed to the PM Code. So
9 this is just cleaning up loose ends.
10 This is not changing -- as stated, as
11 other laws and other fees or other
12 provisions in other codes where a court
13 order is in place, the court order
14 supersedes everything. So nothing is
15 going to be changed to any current
16 licensees, according to this. The court
17 order is taking precedent. And you know
18 how I feel about your organization and
19 the people that you represent. I love
20 the word "scourge," so I just want to say
21 that. You used it wisely. You represent
22 your members well and to the highest
23 degree, and we respect that. And this is
24 not intended to raise the fees up to 300,
25 although it is set at 300 per code, but

1 2/12/15 - L&I - BILL 140944, etc.

2 we're not able to do so because of the
3 court order. This is just shifting the
4 code around over to Title 9 so we could
5 be a little more -- a little less
6 cluttered and a lot easier to manage. So
7 we're not --

8 MR. ZASLOW: If the end result
9 is that the --

10 COUNCILMAN HENON: The end
11 result is, nothing is going to change on
12 practice.

13 MS. SWANSON: And --

14 COUNCILMAN HENON: Unless
15 somebody goes back into court, which you
16 would be notified anyway because you're a
17 party to.

18 MS. SWANSON: And nothing until
19 then. We are bound by the court order.
20 We have no intention of changing what we
21 charge until we are legally permitted to
22 do so.

23 MR. ZASLOW: We support the
24 change of the technical amendment to move
25 it into the code to streamline it,

1 2/12/15 - L&I - BILL 140944, etc.

2 because it's a great job, and if the
3 number is not changing on the website of
4 the City for the license --

5 COUNCILMAN GREENLEE: So we all
6 agree; is that right?

7 COUNCILMAN HENON: The number
8 will not be changing on the website.

9 MS. SWANSON: That is correct,
10 until the court permits us to.

11 COUNCILMAN HENON: This is just
12 a technical amendment to restructure the
13 PM Code and making it a lot more
14 consistent and Philadelphia specific with
15 the International Property Maintenance
16 Code.

17 MS. SWANSON: Exactly.

18 COUNCILMAN GREENLEE: Okay.

19 COUNCILMAN NEILSON: Are you
20 good?

21 MR. ZASLOW: Thank you.

22 COUNCILMAN NEILSON: Thank you.

23 COUNCILMAN GREENLEE: Everybody
24 have a nice day. Thank you.

25 Anybody else to testify?

1 2/12/15 - L&I - BILL 140944, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: That
4 concludes the hearing of the Committee on
5 License and Inspection. We will now go
6 into our public meeting, and the Chair
7 recognizes Councilman Henon first on his
8 bill, Bill No. 150008.

9 COUNCILMAN HENON: Thank you,
10 Mr. Chairman. I make a motion that
11 150008 be voted out of Committee with a
12 favorable recommendation and suspend
13 rules as to be heard at our next Council
14 session.

15 (Duly seconded.)

16 COUNCILMAN GREENLEE: It's been
17 moved and seconded.

18 All in favor?

19 (Aye.)

20 COUNCILMAN GREENLEE: Opposed?

21 (No response.)

22 COUNCILMAN GREENLEE: Hearing
23 none, Bill No. 150008 is reported out of
24 this Committee favorably with a rules
25 suspension.

1 2/12/15 - L&I - BILL 140944, etc.

2 The Chair recognizes Councilman
3 Henon regarding Bill No. 140944.

4 COUNCILMAN HENON: Thank you,
5 Mr. Chairman. Bill No. 140944
6 recommended to be voted out of Committee
7 with a favorable recommendation with a
8 rules suspension as to be heard at our
9 next Council session.

10 (Duly seconded.)

11 COUNCILMAN GREENLEE: It's been
12 moved and seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN GREENLEE: Opposed?

16 (No response.)

17 COUNCILMAN GREENLEE: Hearing
18 none, Bill No. 140944 is reported out of
19 this Committee favorably with a rules
20 suspension.

21 Again, just for the record,
22 Bill No. 130253 has been held at the
23 request of the sponsor to the call of the
24 Chair.

25 That completes the business of

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February 12, 2015

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1 2/12/15 - L&I - BILL 140944, etc.
2 the Committee on License and Inspection.
3 Thank you all for your participation.
4 (Committee on Licenses and
5 Inspections concluded at 4:25 p.m.)

6 - - -

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

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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, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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