

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

Remote location using Microsoft® Teams
Monday, April 24, 2023
1:00 p.m.

PRESENT:

COUNCILWOMAN JAMIE GAUTHIER, CHAIR
COUNCILMAN CURTIS JONES, JR., VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KENDRA BROOKS
COUNCILMAN MICHAEL DRISCOLL
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN MARK SQUILLA

BILLS: 221017, 221018

1 - - -

2 COUNCILWOMAN GAUTHIER: Good
3 afternoon, everyone.

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

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

24 Andrew Goodman, will you
25 please call the roll to take

1 attendance. Members that are in
2 attendance will please indicate that
3 you are present when your name is
4 called. Also, please say a few brief
5 words before responding so that your
6 image will be displayed on screen
7 when you speak.

8 THE CLERK: Vice-Chairman
9 Jones.

10 COUNCILMAN JONES: Present.
11 Madam Chair, good afternoon.

12 COUNCILWOMAN GAUTHIER: Good
13 afternoon.

14 THE CLERK: Councilmember
15 Gilmore Richardson.

16 (No response.)

17 THE CLERK: Councilmember
18 Gilmore Richardson.

19 (No response.)

20 THE CLERK: Okay. We'll come
21 back.

22 Councilmember Bass.

23 COUNCILWOMAN BASS: Good
24 afternoon. I am present.

25 COUNCILWOMAN GAUTHIER: Good

1 afternoon.

2 THE CLERK: Councilmember
3 Squilla.

4 COUNCILMAN SQUILLA: Good
5 afternoon, Madam Chair and
6 colleagues. Present.

7 COUNCILWOMAN GAUTHIER: Good
8 afternoon.

9 THE CLERK: Councilmember
10 Brooks.

11 COUNCILWOMAN BROOKS: Good
12 afternoon, Madam Chair and
13 colleagues. I'm present.

14 COUNCILWOMAN GILMORE
15 RICHARDSON: I apologize. I
16 apologize. Good afternoon, Madam
17 Chair and colleagues.

18 COUNCILWOMAN GAUTHIER: Good
19 afternoon, Councilmember. Thank you.

20 THE CLERK: And,
21 Councilmember Driscoll.

22 COUNCILMAN DRISCOLL: Good
23 afternoon, Madam Chair. I am
24 present.

25 COUNCILWOMAN GAUTHIER: Thank

1 you. A quorum of the Committee has
2 been established and this hearing is
3 now called to order. This is the
4 public hearing of the Committee on
5 Housing, Neighborhood Development and
6 the Homeless regarding Bill No.
7 221017 and Bill No. 221018.

8 Mr. Goodman, will you please
9 read the title of the bills.

10 THE CLERK: Yes. First, Bill
11 No. 221017, amending Chapter 7-200 of
12 The Philadelphia Code, entitled
13 "Preservation of Affordable Housing,"
14 to modify certain requirements that
15 must be met before a change in
16 ownership, other disposition or other
17 change in property interest occurs
18 with respect to certain affordable
19 housing properties in Philadelphia,
20 and making technical changes, all
21 under certain terms and conditions.

22 Second is Bill No. 221018,
23 amending Chapter 7-200 of The
24 Philadelphia Code, entitled
25 "Preservation of Affordable Housing,"

1 to provide for a City directory of
2 affordable housing subsidies and
3 their duration, all under certain
4 terms and conditions.

5 COUNCILWOMAN GAUTHIER:

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

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

1 purpose.

2 Before we begin, I have
3 remarks about the legislation for the
4 community (inaudible) to convene this
5 hearing that will focus on two bills
6 that are a part of the People's
7 Preservation Package, which I
8 introduced in Council last December.

9 Our discussion today will
10 focus on Bills 221017 and 221018.
11 When combined, these bills do three
12 things: Bill No. 221017 expands the
13 list of organizations that property
14 owners must notify when they intend
15 to sell their government-contracted
16 affordable housing properties.

17 This bill also requires
18 affordable housing property owners
19 and other affordable housing
20 providers or tenant organizations the
21 first chance to bid on expiring
22 affordable developments as well as an
23 opportunity to match a market rate
24 offer for the sake of maintaining
25 affordability before an affordable

1 housing contract officially expires.

2 Meanwhile Bill No. 221018

3 authorizes the City to (inaudible)

4 directory of all government-

5 contracted affordable housing

6 properties (inaudible). The

7 directory will include each

8 property's funding source when a

9 contract expire. This will allow the

10 City and its partners to better track

11 our affordable housing landscape and

12 proactively prepare to preserve as

13 many affordable homes as possible.

14 Members of this Committee

15 already know how urgent and

16 catastrophic affordability opt-outs

17 are as we've held hearings on this

18 topic in the past. Just last week,

19 the City and I announced a settlement

20 with the property owner that opted

21 out of its affordability contract. I

22 am incredibly proud of this

23 settlement, which was possible

24 because the UC Townhomes residents

25 refused to be bulldozed by corporate

1 interest.

2 I'm grateful for their
3 unwavering activism and
4 determination, which gave me the
5 strength I needed to negotiate with
6 IVID and ultimately win. But this
7 historic settlement is far from
8 equitable, because 70 families will
9 still lose their homes. So that is
10 why if we take nothing else away from
11 the UC Townhomes saga, it is that the
12 City must take a bolder and more
13 (inaudible) approach to affordable
14 housing (inaudible).

15 Well over 12,000 units of
16 government-assisted affordable
17 housing are at risk of expiring over
18 the next 10 years. We all know the
19 saying about how the most affordable
20 home is the one that already exists,
21 and that is so very true in this
22 case. There's no version of reality
23 where we build enough affordable
24 housing to keep up with the amount we
25 risk losing.

1 That is why we must act now
2 because 12,000 homes is more than a
3 statistic. It represents 12,000
4 Philadelphia families who deserve
5 high-quality housing in neighborhoods
6 that provide walkable access to jobs,
7 health care, education, transit and
8 public spaces. And at-risk buildings
9 are more than just buildings. They
10 are communities unto themselves, safe
11 havens, opportunities to level the
12 playing field and ensure our rapidly
13 changing neighborhoods are still safe
14 for the people who have been here for
15 generations.

16 And let me be crystal clear.
17 An overwhelming proportion of
18 residents who live in expiring
19 affordable housing sites are Black.
20 This is absolutely a racial justice
21 issue because we must decide if the
22 City will once again let economic
23 interests catapult Black families out
24 of areas of opportunity or stand up
25 for what is right.

1 Today you will hear from
2 Philadelphians who endured opt-out
3 and relocation. You will hear about
4 the powerful economic forces at play
5 that led to affordability opt-outs,
6 primarily occurring in neighborhoods
7 with proximity to robust amenities
8 and opportunity. You will hear about
9 how former tenants of expired
10 affordable housing properties are
11 kicked to the curb with nowhere to
12 live within their budget in their
13 community.

14 And you will hear about how
15 affordability opt-outs are incredibly
16 dehumanizing, and in some cases even
17 life-threatening. And I hope you
18 will all remember that for each short
19 story shared here today, there are
20 thousands more like it and tens of
21 thousands more that will be written
22 if we do not take steps to keep
23 low-income residents (inaudible).

24 The People's Preservation
25 Package is a result of expert

1 testimony we've heard in this
2 Committee over the past few years as
3 well as additional research that
4 staff conducted into how other cities
5 successfully combat this issue. I
6 consider these bills good and worthy
7 starts to bolstering affordable
8 housing preservation, though
9 certainly not a solution by
10 themselves.

11 They are balanced, earnest
12 and in great direction that will help
13 us as a government be better
14 prepared, give our affordable housing
15 providers an opportunity to engage
16 when sales do occur while not totally
17 disrupting the market. We have a
18 duty to ensure every Philadelphian
19 regardless of their socioeconomic
20 status has access to high-quality,
21 stable affordable homes in
22 neighborhoods all across the City.
23 And with so much at stake, inaction
24 is not an option.

25 And with that, I'll open up

1 for members of the Committee.

2 Councilmember Brooks and (inaudible).

3 COUNCILWOMAN BROOKS: Thank
4 you. Can you hear me? Hello?

5 COUNCILWOMAN GAUTHIER: Yes,
6 we can hear you, Councilmember.

7 COUNCILWOMAN BROOKS: Oh,
8 okay. All right. Thank you so much,
9 Madam Chair.

10 You know, the events at UC
11 Townhomes over the past year are a
12 clear illustration on why we need
13 these bills. Eight months ago I
14 remember taking the pledge and
15 standing with you with the families
16 at UC Townhomes as they fought to
17 keep their homes, and I am inspired
18 by the historic victory that you guys
19 won last week because we know there
20 are several other incidents that had
21 happened throughout the City that
22 went away in silence.

23 We can be certain that there
24 are more HUD contracts expiring soon
25 and that more families will be faced

1 with life-altering news that will
2 force them to leave their homes.
3 What both of these bills promise in
4 advance notice and time to prepare,
5 they give families and advocates a
6 fighting chance against
7 gentrification, skyrocketing rents
8 and the displacement that
9 destabilizes families and communities
10 a chance to prepare, a chance to
11 organize, a chance to develop the
12 kind of innovative solutions that
13 Philly's housing crisis demands.

14 You know, stable homes are
15 the linchpin of stable families and
16 stable communities. And when
17 families' homes are in jeopardy, it
18 means everything else is in jeopardy
19 too. Your job, your children's
20 education, the network of people and
21 resources that help you sustain your
22 family. And if you have never faced
23 the threat of losing a home, you may
24 not understand how devastating it can
25 be.

1 If you've never lost sleep at
2 night worrying about where your
3 family is going to live because rents
4 are going up everywhere and you can't
5 stand the thought of tearing your
6 children away from their
7 neighborhood, their school, their
8 community, then you might not
9 recognize how important these bills
10 could be.

11 Housing instability causes
12 tremendous stress and anxiety. It
13 stretches families to the breaking
14 point and it contributes to some of
15 our City's most pressing problems
16 from poor attendance in school to
17 persistent gun violence. It's no
18 coincidence that our neighborhoods
19 with the least housing stability are
20 our neighborhoods with the highest
21 rates of gun violence.

22 These bills represent two
23 simple changes that we can make to
24 increase stability and predictability
25 for working families. They offer a

1 chance to win more victories like the
2 settlement last week, which will
3 create 100 units of permanently
4 affordable housing and more
5 opportunities for families to own
6 their homes.

7 And I'm grateful to you,
8 Councilmember Gauthier, for your
9 continued leadership on this issue
10 and look forward to working for more
11 innovative solutions for
12 Philadelphia's housing crisis. Thank
13 you.

14 COUNCILWOMAN GAUTHIER: Thank
15 you so much for those words,
16 Councilmember, and for your
17 partnership.

18 I was told that my connection
19 was a bit choppy. Can you hear me
20 (inaudible)?

21 COUNCILMAN JONES: Yes, I can
22 hear you. It is a little choppy.

23 COUNCILWOMAN GAUTHIER:
24 (Inaudible).

25 COUNCILMAN JONES: I think

1 you recognized me for remarks. So
2 until you cut me off, I will proceed.

3 I just wanted to take a
4 moment to thank you, Madam Chair, for
5 this important proposed legislation,
6 and thank Member Brooks for her
7 passion on the issue. A lot of
8 people think this is a somebody-else
9 problem, the 5th, the 3rd and the 2nd
10 Councilmanic Districts. But I want
11 to testify to you today that it's a
12 4th Councilmanic District issue as
13 well.

14 Penn Wynne is the first time
15 it came across my wheelhouse to deal
16 with. And there's nothing more sad
17 than people that have to leave not
18 knowing exactly where they're going
19 to go, particularly senior citizens
20 who are used to familiar
21 surroundings, this is where I get my
22 hair done, this is who I go play
23 cards with on Fridays, this is my
24 doctor's appointment route to get to
25 their offices. And they know that,

1 plan their lives around that. And to
2 have that rug snatched from under
3 them is not only stressful, but it
4 can contribute to the longevity of
5 literally their lives.

6 Places like Penn Wynne, the
7 Pavilion and others are in close
8 proximity to a lot of amenities. I
9 think that's the common denominator.
10 Pavilion is two blocks off of City
11 Avenue, off of the expressway, easy
12 to get to downtown or King of
13 Prussia. Penn Wynne, if you walk out
14 the back door through their parking
15 lot is a train station that can get
16 you downtown in minutes.

17 So these properties that were
18 once under HUD contract have become
19 market rate targets, and we need to
20 be conscious of them. It's not just
21 in our Districts. It's citywide from
22 the Northeast to South Philly.

23 So thank you again, Member
24 Gauthier, for bringing this up. And
25 I look forward to the testimony.

1 Thank you.

2 COUNCILWOMAN GAUTHIER: Thank
3 you so much, Vice-Chair, and thank
4 you also for your partnership and
5 action on this issue. Am I coming
6 through better now?

7 COUNCILMAN JONES: (Nodded
8 affirmatively).

9 COUNCILWOMAN GAUTHIER: Okay.
10 Mr. Goodman, will you please call the
11 first panel or witness we have to
12 testify this afternoon.

13 THE CLERK: Yes. Our first
14 panelists are Dina Schlossberg and
15 Rachel Garland.

16 MS. SCHLOSSBERG: I guess
17 that means I get to go first.

18 COUNCILWOMAN GAUTHIER: Yes.
19 Please state your name for the record
20 and proceed.

21 MS. SCHLOSSBERG: Thanks so
22 much. Good afternoon, everybody. My
23 name is Dina Schlossberg and I thank
24 you for this opportunity to testify
25 today. I am the Executive Director

1 of Regional Housing Legal Services,
2 and I would like to thank
3 Councilmember Gauthier and the
4 co-sponsors to this bill,
5 Councilmembers Brooks, Bass,
6 Driscoll, Johnson, Vaughn and Lozada
7 for their interest in housing
8 affordability and housing
9 preservation and for the introduction
10 of these very important bills.

11 Just a little bit, five
12 minutes or less on Regional Housing.
13 We are a very unique organization.
14 We're a statewide -- what we call
15 ourselves as a statewide nonprofit
16 law firm, but we're also a legal aid
17 program and a sister organization to
18 Community Legal Services and PLA.

19 We have a very unique
20 expertise in affordable, sustainable
21 housing and related components,
22 community and economic development,
23 utility matters and preservation of
24 homeownership. For almost 50 years
25 50 years come next fall, we have

1 helped deliver housing solutions to
2 Pennsylvanians throughout the
3 Commonwealth, including the
4 development and preservation of over
5 10,000 affordable homes with our
6 nonprofit partners.

7 Regional Housing has a strong
8 commitment to racial justice at the
9 core of our work. And in that, in
10 the framework we provide innovative
11 projects and policy solutions that
12 offer healthy, safe and affordable
13 homes in communities of choice where
14 everyone can thrive. We provide
15 legal representation to nonprofit
16 organizations engaged in affordable
17 housing development and preservation
18 and equitable development, including
19 dozens, if not, hundreds over the
20 years of nonprofit and community
21 development organizations involved in
22 and committed to housing
23 affordability in Philadelphia.

24 We have a deep expertise in
25 housing development regulatory

1 systems and structures. And we
2 understand the mechanics of
3 affordable housing development and
4 the myriad issues that encompass
5 these systems. We do this work
6 because we believe that housing is
7 fundamental, and that all people
8 regardless of source of income have
9 the right to safe, affordable homes
10 in neighborhoods of their choice.

11 We also do this work because
12 we recognize the racial and economic
13 inequities embedded in the laws and
14 policies of the American housing
15 system and strive to find ways to
16 address these inequities. Both
17 Councilmember Brooks and
18 Councilmember Gauthier have talked
19 about the looming housing crisis here
20 in Philadelphia. But it bears
21 stating again, we are at a crisis
22 point when it comes to affordable
23 housing, and that was made even more
24 clear and more present as a result of
25 the changes that loomed during the

1 pandemic.

2 The need we have today and
3 the need we'll have in the future is
4 far greater than the supply. We
5 cannot afford to simply build new
6 housing as a way out of this crisis.
7 The City needs a coordinated and
8 comprehensive strategy to preserve
9 our existing subsidized affordable
10 rental housing.

11 Almost 50 percent of our
12 City's households spend at least 30
13 percent of their income on rent and
14 housing expenses, making them cost-
15 burdened as defined by the U.S.
16 Department of Housing and Urban
17 Development. And the highest
18 proportion of cost-burdened renter
19 households are located in parts of
20 North and West Philadelphia.

21 The need to preserve
22 affordable subsidized rental housing
23 is not unique to Philadelphia. We
24 heard the comment that in the next 10
25 years or so 12,000 units of

1 subsidized rental housing are at
2 risk, but nationally it's estimated
3 that over 325,000 publicly-supported
4 rental homes with existing
5 affordability restrictions are at
6 risk of expiration during the next
7 five years, 325,000.

8 This is a tsunami waiting to
9 happen. And Pennsylvania as a state,
10 let alone the city, is not immune.
11 In Pennsylvania, it is estimated that
12 as of the end of 2022, over 7,600
13 publicly-supported rental homes with
14 existing subsidies with affordability
15 restrictions are also at risk of
16 expiration.

17 So we need -- this is an
18 urgent issue and it needs to be
19 addressed in a comprehensive,
20 strategic manner. We need to do that
21 here in the City. We need to be
22 leaders in this at the state. And
23 quite frankly, the entire country
24 needs to kind of take this on.

25 But as a municipality, which

1 is what we're here to talk about
2 today, we need to galvanize around
3 strategies to preserve existing
4 affordable subsidized housing. A
5 considerable amount of the subsidized
6 housing at risk in Philly, in
7 Philadelphia, is in neighborhoods of
8 parts of West Philly that are
9 experiencing deep economic and
10 demographic changes.

11 This is a racial equity issue
12 at its core. Residents who are lower
13 income who live in historically Black
14 gentrified neighborhoods who are
15 forced to relocate due to
16 gentrification and displacement tend
17 to move to poor non-gentrifying
18 neighborhoods within the City. This
19 exacerbates racial segregation and
20 inequality.

21 This has been said many
22 times, but indeed the University City
23 Townhomes is a classic example of
24 what happens to residents residing in
25 subsidized affordable housing in a

1 resource-rich community when there is
2 no comprehensive plan to address the
3 looming termination of the
4 affordability period and the owner
5 does not wish to continue the
6 existing use of the property.

7 Now, I want to also say that
8 I applaud Councilmember Gauthier for
9 her tireless advocacy and the ability
10 to reach some kind of a resolution
11 with IVID. Andrew Frishkoff who's
12 going to talk about the Pres -- who
13 is here from LISC, he's going to talk
14 about the Preservation Network and
15 Regional Housing. We were a founding
16 member of the Philadelphia
17 Preservation network.

18 Myself along with Rachel
19 Garland, who's going to testify next,
20 lead the Regulation Subcommittee of
21 the Preservation Network, and we
22 endorse the testimony of our
23 colleagues from LISC and from CLS and
24 of course Vince O'Donnell, who is a
25 national expert on all issues of

1 preservation.

2 One of the strategies that
3 the Preservation Network seeks to
4 employ is a regulatory framework to
5 support and encourage the
6 preservation of existing subsidized
7 affordable housing, and we submit
8 that the introduction of these two
9 bills will help to expand the
10 regulatory framework here in
11 Philadelphia.

12 In 2019, the Regulation
13 Subcommittee of the Preservation
14 Network promoted a regulatory scheme
15 that would provide a coordinated
16 approach to preserving existing
17 subsidized affordable rental housing.
18 This regulatory scheme requires that
19 owners of existing affordable
20 subsidized rental housing provide
21 notice of their intent to opt out of
22 the regulatory framework.

23 The goal of the notice is to
24 provide the parties who receive the
25 notice ample time and opportunity to

1 locate a new proposed owner called
2 right of first offer, who will then
3 acquire the development with the
4 promise of maintaining affordability
5 into the future.

6 If no such proposed owner
7 comes forward, the existing owner is
8 free to market the property subject
9 to the right for an affordable
10 housing developer to match the
11 purchase price of a market rate offer
12 should one then exist.

13 This final mechanism is
14 essential to create a path to
15 preserve existing subsidized
16 affordable housing here in
17 Philadelphia. We are deeply
18 appreciative of Council for passage
19 in 2019 of Bill Nos. 190860-A, which
20 established the beginnings of a
21 regulatory framework that would allow
22 for an organized and structured
23 response for owners of an existing
24 federally- and state-subsidized
25 development's notice of attempt to

1 opt out of the regulatory framework.

2 We applaud Councilmember
3 Gauthier for the introduction of Bill
4 No. 22101700 and 22101701 -- no, 801,
5 sorry, which amends, and the first
6 one 22101700, which amends Section
7 7200 of The Philadelphia Code, which
8 is entitled, "Preservation of
9 Affordable Housing."

10 These proposed amendments
11 will modify and strengthen
12 requirements imposed on owners of
13 subsidized rental properties before
14 they may sell, dispose of or make
15 certain other changes to this
16 housing, and this builds on the
17 existing regulatory framework that
18 Council passed into law on 2019.

19 In particular, these proposed
20 amendments will do some of the
21 following: It will clarify that the
22 regulatory framework seeks to
23 preserve federal- and state- and
24 locally-supported subsidized
25 affordable rental housing, requires

1 that owners of existing subsidized
2 rental housing provide notice of
3 intent to opt out no less than 12
4 months in advance of the time the
5 owner intends to withdraw from the
6 housing contract or to sell the
7 property, and very importantly
8 expands a list of parties to whom the
9 notice of intent must be provided to
10 ensure more parties can work together
11 towards a solution to preserve the
12 affordability onsite as well as to
13 address the myriad of needs of the
14 residents who reside in those homes.

15 The bill also provides that
16 no owner may enter into a binding
17 agreement of sale for a property
18 that's covered by this ordinance.
19 And so, notice of the salient terms
20 of the sale are made public to a list
21 of eligible parties must be qualified
22 organizations, companies and tenant
23 organizations, that commit to
24 maintaining the property as
25 affordable housing and have the kind

1 of financial capacity to carry out
2 this activity, and that provides
3 these parties an opportunity to match
4 the terms of the sale.

5 What some call right of first
6 refusal, which we like to call
7 matched agreement of sale, is
8 critical to the overall structure to
9 capture as many opportunities for
10 preservation of existing subsidized
11 rental housing as possible. This
12 proposed regulatory framework is not
13 novel or unique.

14 A form of this regulatory
15 framework has been adapted by many
16 other municipal jurisdictions,
17 including such places as Chicago,
18 Illinois; Washington, D.C.; Santa
19 Cruz, California; and Denver,
20 Colorado. In 2019 when the initial
21 part of this regulatory framework
22 passed, there was concern raised from
23 private for-profit developers that
24 they would be hampered by this
25 requirement, this matched agreement

1 of sale. And it would depress the
2 market for these buildings.

3 And we submit this is not the
4 case, and that this regulatory
5 framework that is expressed through
6 these amendments to this bill allows
7 an owner to be financially
8 compensated pursuant to the terms
9 originally proposed by a third party
10 buyer and that it were originally
11 acceptable to the owners of the
12 building.

13 In addition, we submit that
14 eligible parties now have greater
15 access to resources to exercise this
16 matched agreement of sale through
17 such funding sources as the
18 Neighborhood Preservation Initiative
19 and the new state Housing Opportunity
20 Grant program, which has set aside
21 over \$40 million for preservation.

22 There are other sources that
23 can be brought to the table,
24 including increased fair dollars and
25 other kinds of subsidized resources

1 to enable an eligible party to
2 quickly match the terms of the sale,
3 and more importantly preserve the
4 existing affordable homes.

5 I welcome the opportunity to
6 discuss this regulatory framework
7 with members of City Council as part
8 of a comprehensive approach to
9 addressing critically-needed housing
10 preservation in Philadelphia. I want
11 to thank you for the opportunity to
12 provide this testimony and I welcome
13 any questions you may have. Thank
14 you.

15 COUNCILWOMAN GAUTHIER: Thank
16 you for your testimony, and thanks so
17 much for your work and partnership.

18 Rachel Garland, please state
19 your name for the record and proceed
20 with your testimony.

21 MS. GARLAND: Good afternoon.
22 My name is Rachel Garland, and I am
23 the Managing Attorney at the Housing
24 Unit of Community Legal Services.
25 Thank you for the opportunity to

1 address the Committee in support of
2 both of these bills. I wanted to
3 talk a little bit about why it is
4 that we see this as an issue.

5 And so, for me personally it
6 started a dozen years ago when I was
7 a new attorney at Community Legal
8 Services, and about 16 families
9 showed up in our waiting room for
10 intake one day. They'd all come in
11 together from a property in Society
12 Hill known as Washington Square East
13 because they'd received a notice from
14 their landlord that said that their
15 subsidy was ending and they were all
16 going to have to move out of their
17 property, and they were deeply
18 concerned because many of them had
19 lived there for decades, if not
20 generations.

21 Many of them actually were a
22 part of families that had originally
23 fought for the housing to be built
24 and they were very tied to their
25 neighborhood. They prayed at the

1 Church Mother Bethel across the
2 street. They had gone to McCall
3 School around the corner from their
4 home and many of them had grown up to
5 then be employees of the School
6 District at that specific school.

7 And what I quickly learned is
8 that we had learned about the issue
9 too late, that even though HUD put in
10 place certain requirements that
11 allowed the owners of the subsidized
12 housing properties to opt out of the
13 contracts and require that they give
14 notice to the tenants, the notice was
15 virtually impossible for tenants to
16 understand what it meant and there
17 was no opportunity for any level of
18 advocacy or preservation.

19 And the other thing that I
20 learned out of this example is that
21 had there been an opportunity, this
22 owner very likely would have wanted
23 to continue to have the property be
24 preserved. They just didn't want to
25 be landlords anymore and they wanted

1 to exit and they thought this was the
2 best thing to do in order to be able
3 to sell the property. And as a
4 result of this failure of notice and
5 this failure of an opportunity to
6 advocate around the property, these
7 families were all displaced from
8 their homes for the most part, and
9 there is no longer this locality of
10 subsidized housing in Society Hill,
11 leaving Society Hill as possibly the
12 whitest and the most affluent
13 neighborhood that we have here in
14 Philadelphia.

15 And this was not a sole
16 example. Again, in 2017 the owners
17 of another subsidized housing
18 building Overmont House, chose not to
19 renew their subsidy contract. And
20 again, the residents of that property
21 had to relocate. So at that point,
22 Community Legal Services began
23 working with Temple Law School's
24 Sheller Center for Social Justice,
25 and the result of that was a report

1 called The Danger of the Opt-out.

2 And what the students at the
3 Sheller Center did in consultation
4 with their professor and with us is
5 they looked at a number of factors
6 that would likely influence an owner
7 to opt out, to end the subsidy
8 contract, so that we as a City and a
9 community could begin to anticipate
10 where these opt-outs might happen and
11 begin to think through what
12 preservation strategies could exist
13 to preserve these.

14 And it's important to note
15 that Section 8 project-based housing,
16 so the main type of property that
17 we're considering here, though there
18 are some other types as well, began
19 in the 1960s. And it began as a way
20 for the federal government to finance
21 mortgages and provide subsidy
22 contracts to providers of affordable
23 housing. And what makes project-
24 based housing unique is that the
25 subsidy is tied to a particular

1 building or a particular set of
2 buildings in one neighborhood. And
3 so, for generations as tenants move
4 in or out of the property, the
5 property itself continues to act as a
6 source of affordable housing in that
7 particular neighborhood.

8 And the issue is that these
9 project-based properties, because
10 they're privately owned when the
11 subsidy contract ends, it is the
12 owner's choice whether or not to
13 renew the subsidy contract, and
14 there's nothing really that can
15 necessarily be done to change that.
16 So that when the owner opts out, the
17 units can be turned into private
18 market rate apartments, they can be
19 used for commercial use or they can
20 be sold or demolished, and they're
21 often significant economic incentives
22 for owners to opt out and eliminate
23 these affordable housing units, which
24 are very often in gentrifying
25 neighborhoods.

1 Once an owner has opted out,
2 this source of affordable housing
3 ends and it cannot be reinstated.
4 There is no new sources of funding to
5 fund these contracts in the way that
6 there was back in the 1960s, because
7 Congress stopped allocating this type
8 of funding over 40 years ago.

9 The Danger of the Opt-out
10 Report looked at all the
11 Philadelphia's project-based
12 properties using these risk factors.
13 And of the 44 properties that were
14 owned by for-profit companies
15 therefore had an increased incentive
16 to opt out of the Section 8
17 contracts, 18 of them were in
18 gentrifying census tracts. 24 of
19 them had inspection scores through
20 HUD of 89 or lower, putting them at
21 an increased risk of opt-out to avoid
22 negative consequences with HUD. And
23 at least 16 of the properties met two
24 out of these three risk factors.

25 This opt-out report is still

1 very relevant today and it still
2 provides us with a possible roadmap
3 to looking at which properties and
4 what factors we might want to
5 consider. Like many components of
6 affordable housing, this risk of
7 opt-outs disproportionately affects
8 Philadelphians who are low-income and
9 Black.

10 Philadelphia is currently
11 going through the Affirmatively
12 Furthering Fair Housing process as it
13 did before in 2016, and the resulting
14 assessment of the Fair Housing
15 document at that time found that
16 African American tenants lived in
17 project-based housing in
18 disproportionately large numbers, 65
19 percent of residents compared with 44
20 percent of the City's population.

21 That also showed that African
22 American tenants in Philadelphia were
23 also disproportionately likely to
24 carry a severe housing cost-burden, a
25 HUD measure based on residents paying

1 50 percent or more of their income to
2 housing costs. So the loss of any
3 affordable housing, and particularly
4 the loss of Section 8 project-based
5 housing, is hardest felt by Black and
6 Brown populations already facing
7 severe housing challenges. Not only
8 are these tenants forced to move out
9 of the home they have lived in for
10 years and often decades, they most
11 often can no longer remain in their
12 neighborhoods and will struggle to
13 find replacement housing and other
14 far less economically advantageous
15 areas of the City.

16 The preservation of Section 8
17 project-based housing and other types
18 of affordable housing is a critical
19 racial equity issue in Philadelphia.
20 Unfortunately, Philadelphia is
21 continuing to see owners choosing to
22 opt out of these project-based
23 subsidies, as people have mentioned
24 most recently with University City
25 Townhomes in West Philadelphia which

1 is home to 73 households.

2 Because of these instances,
3 in 2019 we began working with the
4 Philadelphia's Preservation Network
5 and City Council to introduce a
6 notice requirement that would provide
7 advance notice beyond the minimal
8 notice required by HUD. Thanks to
9 that legislation the owner's decision
10 to opt out of their project-based
11 contract was public information, and
12 the residents, City Council and
13 advocates could work to advocate for
14 preservation. And this is exactly
15 what happened in University City
16 Townhomes.

17 However, as we saw with
18 University City Townhomes, the notice
19 requirement alone was insufficient to
20 ensure for a full preservation of the
21 property. Without a right of first
22 refusal, similar to what is being
23 proposed in the legislation today and
24 meaningful supports to enable a
25 prospective buyer to step in with

1 funding to purchase these properties,
2 when the owners want to end the
3 subsidy or sell the property,
4 Philadelphia is going to continue to
5 lose affordable housing resources
6 that are tied to particular
7 neighborhoods.

8 Community Legal Services is
9 committed to continuing to work with
10 the Philadelphia's Preservation
11 Network, the City, City Council and
12 many of you here today to explore and
13 advocate for preservation initiatives
14 which are being discussed today. A
15 critical component of the
16 preservation efforts must be the
17 inclusion of the residents and the
18 preservation process. And if they
19 are interested in the ultimate
20 disposition of the property so that
21 their interests and the interests of
22 other similarly-situated tenants can
23 be the driving force, I think that
24 the bills proposed here today will
25 achieve that.

1 I appreciate the opportunity
2 to address the Committee in support
3 of this important issue. Thank you,
4 Councilmember Gauthier. Thank you to
5 the rest of the Committee for your
6 work on this legislation and your
7 dedication to exploring the effects
8 of opt-outs and possible paths to
9 preservation of affordable housing.

10 COUNCILWOMAN GAUTHIER: Thank
11 you so much for your testimony, and
12 moreover for your work and your
13 partnership. I have questions for
14 both of you, and I see Vice-Chair
15 Jones has questions next.

16 First, for both of you words
17 can't express how grateful and
18 indebted we are in this office for
19 the support that CLS and RHLS provide
20 to residents who are experiencing
21 this type of housing and security,
22 and to nonprofit housing providers
23 across the City who are working to do
24 the right thing.

25 From all of your collective

1 work on this topic of opt-outs, where
2 do the interventions proposed in
3 these bills rank for you in terms of
4 degree of importance?

5 MS. SCHLOSSBERG: Is the
6 question which interventions or is
7 the question --

8 COUNCILWOMAN GAUTHIER: In
9 terms of the multiple things that the
10 bill does --

11 MS. SCHLOSSBERG: Oh, I see.

12 COUNCILWOMAN GAUTHIER: --
13 how would you rank them in terms of
14 priority?

15 MS. SCHLOSSBERG: They kind
16 of build on themselves. If you had a
17 right of first refusal and only a
18 right of first refusal -- or matched
19 agreement of sale, we don't like to
20 use right of refusal if we can. It
21 wouldn't be as effective without
22 having all of the notice requirements
23 and the obligations for there to
24 bring together a team of folks who
25 are interested in the affordability

1 preservation.

2 So I do think that the
3 opportunity for a matched agreement
4 of sale is really critical. I also
5 think that it is really critical to
6 have the notice go to more parties,
7 so at a time when more parties can
8 engage as a team to try to find a new
9 buyer.

10 I also think -- well, it's
11 not covered in the bill, but it is
12 essential and I want to make sure
13 that people understand that there has
14 to be resources available, not just
15 from the City, but there have to be
16 resources available from other
17 agencies as well, which is why this
18 is a statewide issue as well as a
19 City issue, to make funds available
20 so that when there are willing buyers
21 as Rachel talked about in the
22 Washington Square East, there might
23 have been a willing buyer, but you
24 just need to know who they are.

25 So I also think that probably

1 in ranking of some of the area of
2 priority, I really appreciate that
3 this bill would try to develop both
4 data. I guess that would be the
5 second bill, but a lot, you know, it
6 would have more comprehensive
7 capturing of data. But in the first
8 bill, it would allow the amending of
9 2 -- the first bill, 221017 --

10 COUNCILWOMAN GAUTHIER: 017.

11 MS. SCHLOSSBERG: Yeah, that
12 one would allow for there to be a
13 standardization or collective
14 identification of eligible parties so
15 that when there's an opportunity,
16 like it just becomes more efficient,
17 you know, that we know somebody's
18 getting to the point of wanting to
19 opt out of a building or opt out
20 of -- they want to sell their
21 building, they want to opt out of a
22 contract, we have ready-made buyers
23 available and they've already been
24 screened and they've already been
25 identified by the City and by the

1 community as having the capacity and
2 the desire and interest.

3 So I think you need the
4 eligible parties and you need the
5 right of -- you need the matched
6 agreement of sale. And I really
7 appreciate that in this revised -- in
8 these amendments there's also really
9 a recognition of the opportunity for
10 tenant organizations to have a voice
11 and an opportunity to purchase. So I
12 think I probably gave you a lawyer
13 answer, which is kind of like not an
14 answer, but just to reinforce that
15 these are all really important parts
16 of the bill.

17 COUNCILWOMAN GAUTHIER: That
18 was really awesome. Thank you.

19 Ms. Garland, do you have
20 anything to add?

21 MS. GARLAND: No, just to
22 reiterate that I think we learned in
23 2019 what happens when you only pass
24 one piece of the puzzle. Once piece
25 of the puzzle, you just get a little

1 piece of a puzzle. And if we really
2 want the whole system to work and we
3 want the whole puzzle, we got to pass
4 all the pieces.

5 COUNCILWOMAN GAUTHIER: Yeah.
6 Thank you so much. My next question
7 is about what difference it could
8 have made to have these interventions
9 in place at the time of other
10 opt-outs?

11 Ms. Garland, you talked
12 pretty extensively about how this
13 bill might have been useful in
14 Society Hill and even in the
15 Townhomes example.

16 But Ms. Schlossberg, can you
17 add anything about how this might
18 have helped in other opt-out
19 situations?

20 MS. SCHLOSSBERG: Yeah, for
21 sure. I think that there are both
22 some smaller opt-outs. I can think
23 of a couple in West Philly by some of
24 the for-profit developers. I can
25 think quite frankly of one that was

1 in West Philly that was a nonprofit
2 that made the calculated decision --
3 you know, I'm not judging. Just
4 saying, they made the calculated
5 decision to sell a building that was
6 in a very well-recognized school. It
7 was the university school, you know,
8 Penn University catchment.

9 Had we had -- and there were
10 multiple families living there, some
11 with disabilities, some with children
12 who specifically selected that
13 building because it was so close to
14 the school and they wanted their
15 child in that really highly-ranked
16 elementary school. So having this --
17 if this framework had been in place,
18 the opportunities to have a different
19 outcome are just -- I mean, we don't
20 know what the past would have
21 brought. But we know that we at
22 least would have had an opportunity
23 to look for a successful purchaser.

24 And I will say that in other
25 jurisdictions where this kind of

1 framework is established, it quickly
2 becomes the norm and I believe that
3 probably Vince O'Donnell may talk
4 about it. It becomes the norm and
5 people don't fight back. They
6 recognize this is how it works. They
7 don't file constitutional challenges.
8 They say, okay, this is how it works,
9 and you know what, I'm going to get
10 paid a -- we're not asking for
11 somebody not to get paid a fair
12 market value for their real estate.

13 We're saying, let somebody
14 acquire it so that the people who
15 reside there and the community can
16 maintain and continue to have this
17 very vital resource in their
18 community. I could think of one
19 project that both CLS and Regional
20 Housing have participated in that was
21 also in a different part of Center
22 City and a different set of facts.
23 But had there been this structure in
24 place, it is possible that the
25 residents who resided there would

1 have been able to utilize the
2 resources of this kind of structure
3 to perhaps acquire the building
4 themselves.

5 So it just opens up
6 opportunity and it stops the bleed
7 and it creates a different kind of
8 discussion and conversation.

9 COUNCILWOMAN GAUTHIER: Thank
10 you. And, Ms. Schlossberg, can you
11 expound on how many other urban areas
12 like ours have this type of
13 legislation in place?

14 MS. SCHLOSSBERG: Yep, there
15 is a couple. I mean, urban areas
16 like ours there's probably -- I know
17 that Boston has a system. Chicago
18 has a system like this. Washington,
19 D.C. has a system like this. I mean
20 there are variations on the theme,
21 but there are systems where they've
22 tried to create these structured
23 regulatory frameworks for opt-outs.

24 So Washington, D.C., Chicago,
25 Boston. I mean, there's some smaller

1 jurisdictions in California. I want
2 to say a city in Colorado, but I'd
3 have to confirm other than like a
4 small one. And there are some in
5 California, but I don't think they're
6 what you might describe as urban in
7 the same way. But Boston, Chicago
8 and Washington, D.C. are three that
9 have been successful.

10 And again, there's no
11 constitutional challenges and they
12 are able to preserve almost all of
13 the -- Chicago, I know that they have
14 preserved almost everything and the
15 same with Boston.

16 COUNCILWOMAN GAUTHIER: Okay.
17 Thank you so much for that.

18 I'll move to Vice-Chair Jones
19 for questions.

20 COUNCILMAN JONES: Thank you
21 so much, Madam Chair. And thank you
22 for this informative testimony that
23 covers once again my District.

24 How big is this problem? How
25 do we get a sense of scope as to how

1 many properties, how many people are
2 impacted by these expirations of
3 affordable housing?

4 MS. SCHLOSSBERG: Coming up,
5 going forward or in the past?

6 COUNCILMAN JONES: Going
7 forward.

8 MS. SCHLOSSBERG: Well, the
9 Preservation Network has some really,
10 really good data. There are multiple
11 places where you can get preservation
12 data. One is the Preservation Data
13 Bank. Like, there's the preservation
14 data that's federal, that's run
15 through the National Housing
16 Preservation Database. I know the
17 Preservation Network has done a lot
18 of research. I know the City of
19 Philadelphia has done a lot of
20 research. And I believe the number's
21 somewhere in the 10,000 to 12,000 to
22 14,000 unit range depending on
23 whether you're looking at three
24 years, five years, ten years and
25 whether you're looking at just

1 federally subsidized or whether
2 you're also looking at the Low-Income
3 Housing Tax Credit system, and those
4 buildings that are coming to the end
5 of the 30-year cycle of compliance.

6 So the problem's pretty big.
7 Like I said, statewide it's over 7600
8 units, and nationally it's over
9 325,000. You're in good company, but
10 bad company if you know what I mean,
11 yeah.

12 COUNCILMAN JONES: So does it
13 make sense, and I'll offer this to
14 you as well, Madam Chair, that we
15 petition the state to come up with a
16 pool of money that might be applied
17 to the financial assistance end of
18 this legislation? Because again, in
19 the case of one of my buildings what
20 they did was, no, they didn't
21 immediately approach people about
22 leaving, but they were desirous of
23 renovating if they could. But if
24 they could not do that without
25 evicting their current residence,

1 they were quite okay with letting the
2 buildings maintenance deteriorate to
3 the point where L&I had to step in --

4 MS. SCHLOSSBERG: Yeah.

5 COUNCILMAN JONES: -- and
6 close the building evicting over 200
7 units worth of people. That is a
8 disturbing trend that I am seeing.

9 COUNCILWOMAN GAUTHIER: Yes,
10 it makes a ton of sense for us to
11 approach the state, and I think it's
12 about expanding the pool of funding.
13 Actually, Senator Hughes has been a
14 champion on this with a new housing
15 options program, but we still need
16 more funding particularly when you're
17 talking about gentrifying areas. But
18 it's not just the money. It's also
19 the flexibility.

20 The rules of these connected
21 to some of these funding sources that
22 could be used to purchase or renovate
23 these properties and get them into
24 good condition are extremely rigid.
25 And it is my opinion that they do not

1 meet the needs that we have on the
2 ground and in community. So I would
3 love to work with you on this with
4 our state partners on a number of
5 fronts.

6 COUNCILMAN JONES: Look
7 forward to it. It impacts so many
8 people. And an interesting thing,
9 these are working people. They're
10 the working poor often and they're
11 working two or three jobs to survive.
12 And so, this gives them like a gut
13 punch. And the amount of down
14 payment security that is required to
15 move somewhere else, they're not
16 getting proper assistance from people
17 to relocate even when they find
18 themselves at the -- your compromise
19 you were able to come up with for the
20 University folk is amazing because
21 some people don't get car fare to go
22 to their next place of living.

23 So thank you, Madam Chair.

24 MS. SCHLOSSBERG: I would
25 say --

1 COUNCILWOMAN GAUTHIER: Thank
2 you so much.

3 MS. SCHLOSSBERG: Thank you
4 for the question. I would say also
5 to applaud Senator Hughes for the
6 Housing Opportunity Grant funds. And
7 then the advocacy to set aside, I
8 think it's 40 million out of the 100
9 million for preservation and to
10 encourage that kind of expansion of
11 resources going forward.

12 COUNCILWOMAN GAUTHIER: Yes,
13 we're grateful. I don't mean to
14 downplay it at all. It's a huge win.
15 Thank you.

16 Are there any other questions
17 or comments from members of the
18 Committee for this panel?

19 (No response.)

20 COUNCILWOMAN GAUTHIER: There
21 being none, Mr. Goodman, will you
22 please call the next panel to
23 testify.

24 THE CLERK: Yes. Our next
25 panelists are Vincent O'Donnell and

1 Andrew Frishkoff.

2 COUNCILWOMAN GAUTHIER:

3 Vincent, are you there and connected?

4 MR. O'DONNELL: Yes. Can you
5 hear me?

6 COUNCILWOMAN GAUTHIER: Okay.
7 Yes. Please state your name for the
8 record and proceed with your
9 testimony.

10 MR. O'DONNELL: Thank you.
11 I'm Vincent O'Donnell and I'll
12 proceed. Thank you very much,
13 Councilwoman Gauthier. And thanks
14 for the opportunity to testify on
15 these two bills and really for all of
16 your interest in the critical issue
17 of preserving affordable housing.

18 I want to thank you for
19 focusing your attention on the issue
20 of these federal subsidies and use
21 restrictions that are expiring. And
22 I really want to align myself with
23 the previous eloquent statements made
24 by all the Councilmembers and Dina
25 Schlossberg and Rachel Garland about

1 the pressing human needs, including
2 racial equity aspects of it
3 underlying the preservation issue.
4 And congratulations on the settlement
5 for UC Townhomes.

6 So I'm Vincent O'Donnell.
7 I'm an affordable housing consultant.
8 I've worked for 50 years with state
9 and local governments, nonprofit
10 developers and resident
11 organizations. I was formerly the
12 National Vice-president for
13 Preservation at Local Initiative
14 Support Corporation, LISC, where Andy
15 is now.

16 I currently chair the
17 Affordable Housing Preservation
18 Advisory Committee for the
19 Commonwealth of Massachusetts, and I
20 advise the City of Boston Affordable
21 Housing Preservation Strategy. And I
22 work closely with HUD at local and
23 headquarters leadership level on
24 specific issues related to
25 preservation.

1 My personal primary mission
2 is to promote the creation and
3 preservation of safe, affordable
4 multi-family housing. I testified
5 last year in February and spoke to
6 the overall nature of the affordable
7 housing preservation challenge,
8 stressing the need to maintain an
9 appropriate balance in the public-
10 private partnership that has created
11 this rich inventory of affordable
12 multi-family housing.

13 And in that model, the public
14 sector provides resources, incentives
15 and safeguards, i.e., regulations,
16 and the private sector creates and
17 sustains the affordability itself.
18 There are real challenges to long-
19 range affordability, including the
20 right to prepay subsidized mortgages,
21 the right to decline renewal of
22 expiring project-based Section 8
23 contracts, the expiration of long-
24 term use agreements, sometimes
25 physical and financial distress and

1 sometimes just simply aging and a
2 normal need for modernization and
3 recapitalization.

4 And we have a mature toolkit
5 we've built over the last 35 or 40
6 years of preservation measures that
7 include a combination of resources,
8 incentives and regulatory actions.
9 In keeping with the essence of that
10 public-private partnership, it
11 created portfolio. But much of this
12 toolkit is it consists of voluntary
13 actions. In the face of mounting
14 losses in the irreplaceable
15 inventory, many jurisdictions have
16 sought ways to increase the
17 likelihood that owners or purchasers
18 of these properties will choose
19 preservation, which is what we're
20 here today for.

21 I want to speak today to the
22 viability and the enforceability and
23 the consequences of various
24 previously enacted statutes and
25 ordinance that are similar to Bills

1 221017 and 018. These two bills
2 taken together use notice
3 requirements, data analysis and
4 purchase rights that respect an
5 owner's right to realize the market
6 value of the asset they have created
7 and sustained.

8 I think Dina and Rachel put
9 it eloquently about how these three
10 pieces really form a unit the way
11 they work together. And they are key
12 to any successful preservation
13 strategy. It takes lead time to
14 propose a viable alternative to a
15 pending exit, and notice requirements
16 address that issue.

17 If a fair untimely
18 opportunity to purchase provides true
19 preservation entities, a future
20 preservation crisis can be averted.
21 And finally, without good data and
22 analysis it's really hard to make the
23 case for and obtain public resources
24 to support preservation transactions
25 and make owners whole in terms of

1 obtaining value for their asset.

2 So before going further, I
3 just want to say I support both of
4 these bills, both based on the
5 growing critical need to increase and
6 not reduce the supply of deeply
7 affordable housing and on the
8 reasonableness and effectiveness of
9 these measures. I won't go through
10 the detailed description of the
11 legislation because that's been done
12 and you're all familiar with it.

13 But I do want to say in my
14 work at LISC, I was there almost 15
15 years, I saw across the country a
16 growing awareness in various
17 jurisdictions that active measures
18 such as these were needed. A
19 preservation transaction needs
20 resources. But it became clear that
21 in order to accomplish anything,
22 there's also a need for procedural
23 and economic incentives.

24 I'll just say in
25 Massachusetts after some significant

1 losses and high profile losses to the
2 affordable housing inventory such as
3 the kind that you've described here,
4 12 years ago we enacted Massachusetts
5 General Law Chapter 40T. This
6 legislation provides an orderly
7 framework. I think it was sort of a
8 process choreography with a message
9 that it's a fair process.

10 It imposes transaction
11 requirements in the public interest,
12 but also establishes what I call an
13 easy door for preservation. That
14 legislation and its implementing
15 regulations have been fully accepted
16 by the real estate community, and
17 they've been incorporated in normal
18 affordable housing transaction
19 structure.

20 In addition to the formal
21 requirements or maybe actually
22 because they exist, it's also
23 provided a framework for negotiating
24 preservation outcomes in an orderly
25 way. And for this approach to work

1 best, we also need preservation
2 resources and short-term acquisition
3 financing to optimize the
4 opportunities created by the
5 legislation.

6 If we're asking people to
7 take the time to give notice and to
8 take the time for a response by a
9 preservation purchaser to use an
10 opportunity like a right of first
11 refusal or right of first offer, then
12 we are going to -- it's going to be
13 good if we can offer the ability to
14 close quickly once we've gone through
15 all that.

16 And we do have resources for
17 that. Organizations like LISC, for
18 example, have resources -- I'm not
19 picking your pocket, Andy, but there
20 are resources such as pre-development
21 lending and short-term acquisition
22 loans. And LISC is an organization
23 that has taken the time over the
24 years to understand this issue and
25 they know how to underwrite that kind

1 of resource, so it's a really
2 valuable thing.

3 Two years ago an organization
4 in Massachusetts called Community
5 Economic Development Assistance
6 Corporation or CEDAC is a state
7 quasi-public agency. They published
8 a report called Chapter 40T at 10.
9 If you don't already have it, I will
10 send a copy of it.

11 And besides describing that
12 legislation and its outcomes in
13 Massachusetts, did a survey of other
14 jurisdictions' similar laws. And so,
15 that question has come up. So I will
16 offer that. That's something which
17 will kind of go into a little bit
18 more detail than I can do just in
19 this testimony today about other
20 jurisdictions.

21 And as we heard earlier,
22 there are basically three kinds of
23 things here: Notice laws, various
24 definitions of rights approaches and
25 information and data. So there are

1 things at the state level,
2 California, Connecticut, Illinois,
3 Maine, Maryland, Oregon, Rhode
4 Island, Texas, and at the local
5 level, Denver, San Francisco and
6 Santa Cruz all have some kind of -- I
7 left out Massachusetts, all have some
8 kind of notice requirement.

9 And in terms of right of
10 first refusal or a right to purchase
11 or right of first offer, there are
12 many such systems there as well,
13 California, Illinois, Maine,
14 Maryland, Oregon, and Portland in
15 particular, Rhode Island, Denver,
16 Sacramento, San Francisco, Santa
17 Cruz. All these have various
18 expressions of these rights.

19 And actually only one of them
20 that I know of, New York City, was
21 overturned in state court legislation
22 based on what I really think are
23 questionable interpretations of
24 preemption doctrine. I really think
25 that, you know, I think as Dina was

1 saying, the real estate community if
2 these things are enacted in a fair
3 way and implemented in a fair way, we
4 have found that the real estate
5 community just works with it. And
6 actually most of the folks who have
7 developed this housing did it because
8 they believe in affordable housing.
9 They may have other things going on
10 in their trajectory right now where
11 they don't want to be the owners
12 anymore, but the opportunity to
13 create a preservation solution is
14 important to many of these owners.

15 So just to summarize, I mean
16 there is a healthy variety of state
17 and local approaches to supplement
18 the combination of continuing federal
19 resources but expiring mandates.
20 These approaches have the same
21 principles as each other, notice,
22 purchase rights, data analysis. And
23 I want to stress, I haven't said much
24 about data analysis but it's really
25 important.

1 We started doing that in the
2 Boston area back in 1972, and it
3 really was illuminating how much you
4 can see coming at you and
5 understanding the resource pipeline
6 that's going to be necessary to match
7 that. But these three approaches are
8 really mainstream. They're not
9 radical, and many jurisdictions that
10 have historically not perceived the
11 need for this legislation because
12 maybe they were in weak multi-family
13 markets and there was not -- they
14 didn't see a lot of pressure for
15 conversion. Well, that's changing
16 everywhere.

17 And the risk of market
18 conversion is high and it's
19 everywhere. And it's just important
20 to be able to anticipate that,
21 prevent losses before they
22 irrevocably occur and this proposed
23 legislation will assist the City in
24 creating an orderly response to a
25 broken challenge.

1 COUNCILWOMAN GAUTHIER: Thank
2 you so much for your testimony and
3 for your work.

4 Andrew Frishkoff, can you
5 state your name for the record and
6 proceed with your testimony.

7 MR. FRISHKOFF: Thank you.
8 Yes. Good afternoon. My name is
9 Andrew Frishkoff. I'm the Executive
10 Director of Philadelphia Local
11 Initiative Support Corporation, also
12 known as LISC. Thank you for the
13 opportunity to testify. I would like
14 to present testimony on behalf of the
15 Preservation Network of which LISC is
16 the convener, regarding Bill No.
17 221017 and technical changes to
18 Chapter 7-200 of The Philadelphia
19 Code, entitled "Preservation of
20 Affordable Housing."

21 I would like to thank
22 Councilmember Gauthier for her
23 leadership in introducing this bill
24 and to all of the City Councilmembers
25 on the Committee for your commitment

1 to preserving affordable housing in
2 the City of Philadelphia. I would
3 also like to thank the members of the
4 Preservation Network, including Dina
5 and Rachel who've taken the time to
6 review this bill and to agree on the
7 following testimony on behalf of the
8 Preservation Network.

9 Preservation Network is a
10 multi-sector collaborative of
11 private, nonprofit and public sector
12 agencies committed to preserving and
13 protecting at-risk publicly-assisted
14 affordable rental housing in
15 Philadelphia. LISC is a leading
16 national and local Community
17 Development Financial Institution and
18 intermediary and we serve as the
19 convener of the Preservation Network.

20 These are precarious times
21 for lower-income households.
22 Systemic inequities that existed
23 prior to the pandemic have become
24 more evident as Philadelphia moves
25 towards economic recovery. Lack of

1 affordable housing and job loss
2 within the lower wage sectors has
3 disproportionately impacted women,
4 especially Black women, making the
5 need for affordable housing
6 development and preservation for them
7 especially acute.

8 Three data points, some of
9 which you've heard I think
10 previously: In 2022, nearly 49
11 percent of Philadelphia renters spent
12 30 percent or more of their income on
13 rent between 2008 and 2016. The City
14 lost more than 13,000 units that
15 rented for \$800 or less, and an
16 estimated 19,500 units of affordable
17 housing may be at risk of loss in the
18 next 20 years in the City of
19 Philadelphia.

20 As most of you are aware,
21 safe, quality affordable housing
22 creates opportunities for stable
23 employment, serves as the foundation
24 to educational advancement and
25 continuity of health care provision.

1 With a disappearance of naturally-
2 occurring affordable housing,
3 preservation of publicly-assisted
4 housing becomes increasingly crucial.
5 Publicly-assisted affordable rental
6 housing uses federal subsidies such
7 as the Section 8 project-based
8 program and the Low-Income Housing
9 Tax Credit program to support
10 construction and affordable rents for
11 seniors, people with disabilities and
12 other people with lower and moderate
13 incomes.

14 Unfortunately, public-
15 assisted housing is also at risk due
16 to expiring subsidy contracts and
17 affordability requirements. Data
18 from the National Housing
19 Preservation Database suggests by
20 2035 as many as 10,000 units in
21 Philadelphia may be at risk and every
22 City Council District may have at
23 least 100 units at risk. This is
24 especially sobering when we consider
25 the publicly-assisted properties that

1 have been lost, some of which have
2 already been cited in previous
3 testimony.

4 For example, in 2016 nearly
5 220 lower-income seniors were
6 displaced when the building owner of
7 Overmont House converted the property
8 to student housing. That property
9 had been subsidized through federal
10 housing finance funding and provided
11 Section 8 subsidies to seniors for 40
12 years.

13 In 2021, everyone knows the
14 owner of University City Townhomes in
15 Council District 3 provided an
16 opt-out notice on its HUD Section 8
17 contract after almost 40 years. It
18 is worth noting that the owner of UCT
19 affirmatively sought approval from
20 HUD to assign existing project-based
21 Section 8 funding to other affordable
22 housing properties in West
23 Philadelphia.

24 This provision known as HUD
25 8(bb) is an important mechanism for

1 preserving scarce project-based
2 rental subsidies within a city, if
3 not in a particular building.

4 Current regulatory controls are
5 important and useful, but they are
6 insufficient to address our
7 affordable rental housing crisis.

8 Philadelphia lacks nearly
9 72,000 affordable units for very low
10 and lower income households. With
11 this reality, many UCT residents will
12 struggle and have struggled to find
13 nearby housing and will be displaced
14 to other parts of the City, losing
15 ties to a neighborhood that has been
16 home for decades, a neighborhood that
17 is rich in amenities with access to
18 employment, education, transportation
19 and health care.

20 It's important to add
21 University City Townhomes provides
22 homes for families, which consists of
23 two and three bedroom apartments.
24 These are particularly scarce and
25 increasingly scarcer in the City, and

1 the loss of these units underscores a
2 deeper crisis for Philadelphia's
3 families, and particularly women of
4 color with children.

5 Bill No. 221017 is vital that
6 it will address two critical issues
7 not addressed through a HUD 8(bb)
8 transfer. The legislation seeks to
9 preserve HUD Section 8 contracts and
10 other forms of affordability at their
11 original locations and to reduce
12 instances of displacement for
13 residents from their homes.

14 Foundation for the Future is
15 the companion to the City's Housing
16 Action Plan. It includes core
17 recommendations and strategies to
18 address at-risk properties and
19 preserve essential affordable rental
20 housing in the City. The four
21 strategies that the Preservation
22 Network seeks to advance through its
23 collaborative work model:

24 One, to improve available and
25 actionable data about publicly-

1 assisted affordable rental
2 properties; to strengthen the
3 capacity of residents, owners and
4 others; to repair, recapitalize and
5 manage properties for long-term
6 affordability. Three, develop new
7 financing options and revenue streams
8 to preserve at-risk properties. And
9 four, to enact new laws and
10 regulations to support long-term
11 preservation of affordable rental
12 housing.

13 Bill 221017 falls within the
14 core strategy. The goal of this bill
15 is twofold: Right of first refusal,
16 opportunity for a qualified nonprofit
17 developer, government agency and
18 and/or tenants association to
19 purchase the property and commit to
20 keeping it affordable; and two,
21 expanded right of notice, to ensure
22 that the tenants of the affordable
23 housing property as well as legal
24 nonprofits that could provide
25 assistance to tenants will be

1 notified of the end of affordability
2 periods and subsidy contracts.

3 This process will create an
4 opportunity for developers and
5 building owners to engage in an open
6 and transparent process for
7 preserving affordable housing. Under
8 the proposed timeline, the owner
9 provides 130 days notice to the City,
10 tenants and legal nonprofit
11 organizations of their intent to sell
12 the property and must provide the
13 material terms of any bona fide offer
14 they receive which they intend to
15 accept.

16 Eligible entities have 60
17 days to submit an agreement of sale
18 to the owner that matches the bona
19 fide offer and all material respects,
20 and a matched offer of sale made by a
21 tenant or tenant organization will
22 have priority over other offers made
23 by eligible parties.

24 While the ultimate success of
25 this bill depends also on sufficient

1 funding sources for acquisition and
2 operations of properties as well as
3 capacity-building support for
4 eligible organizations, this bill
5 presents a powerful tool to preserve
6 Philadelphia's at-risk affordable
7 rental housing. In tandem with the
8 other three preservation strategies
9 and foundation for the future, this
10 bill will further Philadelphia's
11 prosperity by helping residents stay
12 in their homes and neighborhoods
13 while they seek further economic
14 opportunities. Thank you again for
15 the opportunity to provide this
16 testimony today.

17 COUNCILWOMAN GAUTHIER: Thank
18 you so much, Mr. Frishkoff, for your
19 testimony but also for (inaudible).
20 You all were a huge piece of us being
21 able to prepare and take this
22 legislation forward and we thank you.

23 Thank you as well,
24 Mr. O'Donnell, for your continued
25 willingness to lend your expertise on

1 this issue. I have one question for
2 you and your experience. What have
3 the perceived worries or challenges
4 been about this type of legislation
5 and have any of those suspicions
6 actually played out in reality?

7 MR. O'DONNELL: Sure. I mean
8 when you consider something like
9 this, people will express their
10 concerns so it's a real thing. But I
11 think the types of concerns are, I
12 think they're kind of addressed in
13 the legislation. One of them is the
14 time it takes.

15 I think the notice
16 requirements are not significant in
17 that way because it's already
18 mandated in federal law to give a
19 one-year notice of a Section 8
20 opt-out, for example, and they're
21 easily planned around. But some
22 owners will claim that it takes
23 longer to go through a right of first
24 refusal process or a right of first
25 offer process and it adds calendar

1 days to the process.

2 As a practical matter, that
3 has not risen to the level of
4 something which is making it
5 unacceptable. It is a regulatory
6 layer that is added. But frankly, I
7 think in transactions the properties,
8 especially these, ones that are at
9 larger scale, it really takes a long
10 time to even with this sort of
11 efficient market mechanism, at the
12 end of the day how long does it
13 really take to close, quite a long
14 time. And that's why I also stressed
15 that the need and the availability of
16 resources for these purchasers so
17 that they can move expeditiously
18 through the due diligence process and
19 also then close quickly, and we're
20 seeing a growing need for a short-
21 term acquisition financing.

22 I advise nonprofit developers
23 in my practice, and I'm seeing most
24 preservation transactions these days
25 really consist of a short-term

1 acquisition loan, recognizing the
2 need that it takes maybe several
3 years to locate, say, a tax credit, a
4 Low-Income Housing Tax Credit
5 allocation and other public
6 resources.

7 And so, all these
8 transactions take time, so I think
9 we're not really out of the
10 mainstream in doing that. I think
11 that's probably the biggest thing. I
12 I serviced some affordable housing
13 industry leaders in Massachusetts
14 around a proposed general tenant
15 opportunity to purchase something
16 replicating the Washington, D.C. TOPA
17 legislation and was asking people how
18 did they see this.

19 Another thing that was
20 mentioned was that it would be really
21 important to have if there were a
22 dedicated funding stream, well, we
23 have that in a sense already for
24 these properties because they're
25 eligible, for example, Section 8

1 Mark-to-Market, and for the same
2 resources that we have for other
3 affordable housing developments. I
4 think none of the concerns I've heard
5 have been in insuperable. They're
6 not like redlines, drop-dead kind of
7 concerns.

8 COUNCILWOMAN GAUTHIER:

9 Thank --

10 MR. O'DONNELL: I did mention
11 earlier about preemption. I'm just
12 thinking. I just have one thing.

13 COUNCILWOMAN GAUTHIER: Yes,
14 absolutely.

15 MR. O'DONNELL: There have
16 been concerns about preemption that
17 were valid when the federal
18 government passed what's called the
19 LIHPRHA statute, which preserved
20 former Section 236 properties. There
21 was a very prescriptive mechanism for
22 how those properties future was going
23 to be determined. It was all under
24 federal rules.

25 And there was a specific

1 statutory explicit preemption clause
2 that said local laws could not
3 interfere with the LIHPRHA process
4 unless they were of general
5 applicability. And there were
6 several attempts at some local or
7 state statutes that failed because
8 they specifically conflicted with
9 that very clear language. But other
10 than the New York case that I
11 mentioned of Local Law 79, I haven't
12 seen any kind of other more subtle
13 things like implied preemption
14 interfere with the function of these
15 statutes.

16 COUNCILWOMAN GAUTHIER: Thank
17 you.

18 Mr. Frishkoff, did you want
19 to add anything?

20 MR. FRISHKOFF: I just wanted
21 to echo a couple of things that
22 Vincent shared, and then also to
23 point out that I think the value of
24 the accompanying Bill 018 in terms of
25 creating increased information,

1 because on the one hand, 017 sort of
2 creates a requirement for owners.
3 And as Vincent shared, putting deals
4 together takes often years. And
5 having only 130 days sort of notice
6 doesn't give even a sophisticated
7 buyer a lot of time to necessarily
8 put things together.

9 But if tenants and elected
10 officials and others are aware that a
11 property may be within a couple of
12 years of its contract expiration,
13 there can be proactive conversations.
14 Tenants can be forewarned and
15 forearmed just even the possibility
16 to have a voluntary conversation with
17 building owners and management as
18 well as with public officials just to
19 say, is there anything for us to be
20 concerned about, and if so, are there
21 opportunities for us to preserve.

22 I certainly don't want to
23 alarm residents unnecessarily for any
24 reason. And in many cases, their
25 owners are not going to look to sell

1 or convert. But I think having that
2 information available so that there
3 can be an even greater runway for
4 conversations, I just want to sort of
5 highlight that in addition. So thank
6 you.

7 COUNCILWOMAN GAUTHIER: I
8 couldn't agree with you more.

9 MR. O'DONNELL: Yeah, that's
10 so important. And we use that a lot
11 here in Boston. The city of Boston
12 has a monthly meeting and that agenda
13 is determined by that pipeline which
14 comes from that data, and it's just
15 so important.

16 COUNCILWOMAN GAUTHIER: Thank
17 you. Thanks to both of you.

18 Are there additional
19 questions or comments for this panel?

20 (No response.)

21 COUNCILWOMAN GAUTHIER: There
22 being none, Mr. Goodman, will you
23 please call the next panel to
24 testify.

25 THE CLERK: Yes. We are

1 having some difficulty connecting
2 with one of the panelists, so they
3 might come in and out. But next
4 panelists are Jacques-Jean Tiziou,
5 Consuela Astillero and Ms. Wanda
6 Levan.

7 COUNCILWOMAN GAUTHIER: Okay.
8 Jacques, please state your name for
9 the record and proceed with your
10 testimony. And thank you for being
11 here today.

12 MR. TIZIOU: Thank you so
13 much for having me. My name is
14 Jacques-Jean Tiziou. I go by JJ for
15 short. I'm an artist and massage
16 therapist and block captain in West
17 Philadelphia. I live on the 4500
18 block of Osage in West Philly. I
19 have walked around this entire City
20 11 times so I have an idea of how
21 complicated it is and how vast.

22 On my block I have seen up
23 close the trauma that impacts
24 neighbors and communities when
25 affordable housing is lost. In 2019,

1 a 16-unit building on our block was
2 put up for sale when there were no
3 longer funding options to continue
4 preserving it. The tenants got no
5 notice. The community got no notice.
6 We saw people with cameras and
7 clipboards starting to float around
8 and we knew something was up. And
9 then the tenants got letters saying
10 two months to get out.

11 I can't speak to the
12 intricacies of funding and legalisms,
13 but I can speak to the importance of
14 affordable housing in resource-rich
15 neighborhoods of affordable housing
16 in general and I can speak a little
17 bit to the trauma that impacted
18 people. I can't speak for my
19 neighbors and tenants, the tenants of
20 that building, but I can tell you as
21 someone who knew all of them that
22 they are more vulnerable neighbors,
23 the ones who maybe can't be on this
24 call because some of them don't have
25 the same phone number. Some of them

1 we're no longer in touch with.

2 In one fell swoop, 95 percent
3 of the people of color and 100
4 percent of the lowest-income
5 neighbors on our block got the boot.
6 Some were new neighbors like Nene and
7 her three little daughters who had
8 just been welcomed maybe five or six
9 months earlier to University City, a
10 resource-rich neighborhood with ample
11 parks and groceries and transit
12 options and well-funded schools that
13 her kids could go to. And she wasn't
14 given a heads-up. And then all of a
15 sudden within less than a year, she
16 would get two months' notice to be
17 out. We have no idea where she is
18 anymore.

19 Other neighbors had been
20 there longer like our beloved
21 neighbor Mr. Cyrus. He was 81 years
22 old. He'd lived in that building for
23 50 years since before it became taken
24 over as affordable housing. He was
25 displaced from his home of 50 years.

1 On his moving day, he fell and broke
2 his hip as part of a comprehensive
3 relocation assistance that didn't
4 even -- with some crappy ass movers,
5 pardon my language, that didn't even
6 put bookcases up against his walls
7 and left tripping hazards that an
8 81-year-old elder, you know, he fell,
9 he broke his hip and within two
10 months his life had come to a close.
11 And he could still be having tea on
12 my porch right now.

13 I think of neighbors like
14 Kevin who's also deceased. I went
15 and visited him once in North Philly
16 where he was staying with his sister,
17 but he was up a couple flights of
18 stairs which for someone with very
19 reduced mobility for him meant he
20 basically laid in bed all day whereas
21 he had more access to neighbors and
22 community on our block.

23 There are a couple neighbors
24 who've moved just a couple blocks
25 away and they still come back to

1 block parties and community events,
2 but we all wonder, there's this
3 looming cloud of, oh, well, the next
4 building that they're in when does
5 that get sold. There's another
6 building around the corner or managed
7 by the same organization at 45th and
8 Larchwood, and we also wonder. We
9 don't have a way to know when is that
10 all of a sudden going to disappear.
11 So I think the directory, the notice
12 to tenants, to organizations, to
13 civic groups feels super important to
14 see something like this coming as
15 Andrew said, and to be able to
16 organize it ahead of time and
17 preserve the affordability and give
18 people time to plan and react if
19 something like this is coming their
20 way.

21 Half the neighbors from that
22 building we were in touch with and
23 now have lost touch with, because
24 again vulnerable populations are
25 harder to keep track of and have many

1 other things on their plate. One of
2 them who may be able to join us to
3 testify today is currently in the
4 hospital. She still wants to speak
5 to you from the ER at Presby because
6 she thinks this is an important
7 issue.

8 Others who I spoke to last
9 week who wanted to speak to you
10 today, today the phone is
11 disconnected and not working, and
12 that's the challenges of our most
13 marginalized neighbors (inaudible)
14 to have the rug pulled out from you,
15 from all of a sudden the neighborhood
16 that you've lived in.

17 I didn't even tell you about
18 Maryanne and her daughter Talana who
19 lived in the neighborhood, in the
20 building for 12 years and her
21 daughter grew up there. It's the
22 neighborhood she knew from middle
23 school, high school to young
24 adulthood, and all of a sudden she
25 was given two months' notice.

1 Seeing an elder who can still
2 be alive right now is heartbreaking.
3 Seeing people just go MIA and seeing
4 the -- like, what does this do to our
5 City when the most vulnerable
6 neighbors who could most benefit from
7 resource-rich neighborhoods as
8 resources are flowing to these
9 neighborhoods, for them to then be
10 punted further away.

11 So I'm getting some texts,
12 yeah, from our friend Wanda who wants
13 to speak to y'all, but she may not be
14 able to get in via the Teams system,
15 so I can actually put her on
16 speakerphone if you'd like and try to
17 give her a call. So I will maybe
18 stop my rambling. But is it okay if
19 we cut straight to Ms. LeVan because
20 I seem to have her texting with me
21 right now so I can get her on the
22 line if you'd like or does anyone
23 have any -- I'll put it on.

24 COUNCILWOMAN GAUTHIER: You
25 can get her on.

1 MR. TIZIOU: Tech Support has
2 been --

3 MS. LEVAN: Hey, JJ.

4 MR. TIZIOU: Hey, Wanda.
5 I've got you on the phone with our
6 Councilwoman Jamie Gauthier who you
7 walked with in the Cobbs Creek along
8 with many other members of City
9 Council listening, and they'd love to
10 hear a little -- oh, if you could
11 introduce yourself first for the
12 record.

13 MS. LEVAN: Hi. My name is
14 Wanda LeVan and I'm a resident of
15 Columbus Property Management. I
16 was -- my address, I kind of forgot
17 it because I have a lot of ailments,
18 a lot of ailments going on. But I
19 was living there and they just up and
20 had us move out of affordable housing
21 and most of us don't have money to
22 move, and we have friends around
23 there and everything. It was a nice
24 neighborhood.

25 Now, I don't -- where I live

1 at, I don't have nobody that really,
2 you know, like JJ was one of my old
3 neighbors. And it's just worse
4 (inaudible) and I don't have a lot of
5 options. And then I have a friend
6 and I don't know where she is and her
7 kids because they just up and made us
8 move so quickly, you know.

9 So I just -- I appreciate
10 that because, you know, friends and
11 people to check on you and things
12 like that when you have a lot of
13 medical conditions. And if you don't
14 have family, and JJ was like that
15 with most of us. And now, we don't
16 have that. I'm in one of the
17 buildings now and that's basically
18 the same thing. I don't know if
19 they're going to take it away or not.
20 And I can't work right now because I
21 have all these ailments that's
22 (inaudible). I'm at the hospital as
23 we speak. I'm sorry.

24 COUNCILWOMAN GAUTHIER: Thank
25 you so much, Wanda. I appreciate you

1 testifying.

2 MS. LEVAN: Yes.

3 MR. TIZIOU: Thank you so
4 much, Wanda. I think we have one
5 more panelist and maybe we'll keep
6 you on the line in case there's
7 questions after the other panelists.
8 Is that the right thing?

9 COUNCILWOMAN GAUTHIER: Yes.

10 MS. LEVAN: Okay. I won't
11 talk to you guys too long about stuff
12 because I know y'all may not have a
13 lot of time.

14 MR. TIZIOU: Is there
15 anything else that you want to share
16 about the circumstance real quick or
17 should we go to our next --

18 MS. LEVAN: Yes, it is. Like
19 now, money and everything been stolen
20 from us. Like now, I'm going through
21 a situation and I'm a good tenant. I
22 would have loved to stay where I was
23 at, but like I said there's no
24 affordable housing really. They're
25 taking all the affordable housing.

1 And on top of that, they're stealing
2 money from the tenants (inaudible).

3 So that's what I'm going through.

4 I have lupus and all this
5 (inaudible). Everybody in my
6 building is even (inaudible) or
7 they're bedwritten. So they don't
8 have help (inaudible). I have the
9 case manager helping me out. And
10 right now as we speak, I'm going
11 through it again, the same exact
12 thing where I have to leave because
13 they did me wrong.

14 MR. TIZIOU: I'm sorry,
15 Wanda. We're going to -- we got to
16 hear from one more panelist, but I'm
17 going to keep you on the line in case
18 we have questions for you from the
19 Council afterwards. Okay.

20 MS. LEVAN: Thank you.

21 COUNCILWOMAN GAUTHIER: Thank
22 you so much. I want to offer to
23 follow up with Ms. Wanda, maybe with
24 how to connect to our Right to
25 Counsel program to see if that may be

1 helpful in getting through some of
2 the issues in her current housing
3 situation. And I also want to thank
4 her so much for testifying and
5 sharing her story even as she goes
6 through what sounds like a
7 significant health challenge, and I'm
8 just so sorry.

9 And I want to thank you, JJ,
10 for your advocacy on this for many
11 years and for your kindness to our
12 neighbors. I remember you reaching
13 out to me after I had won the Primary
14 in 2019 but before I started in
15 office.

16 And you asked me to sit down
17 on this issue and you asked for my
18 commitment to this issue. And I just
19 want you to know that I took it to
20 heart and I still do, and I'm so very
21 committed to this. Thank you.

22 Ms. Connie, it's so wonderful
23 to see you. Thank you for being
24 here.

25 MS. ASTILLERO: So thank you

1 for having me.

2 COUNCILWOMAN GAUTHIER:

3 Please state your name for the record
4 and proceed with your testimony.

5 MS. ASTILLERO: My name is
6 Consuela Astillero. I am still a
7 resident of University City
8 Townhouses. I moved in on April 15,
9 1983. I was the first resident to
10 move here. I'm a little bit nervous.

11 COUNCILWOMAN GAUTHIER: Take
12 your time. It's fine.

13 MS. ASTILLERO: When we were
14 informed on July 8, 2021 that we had
15 one year to leave, it was horrific
16 because I felt like the government
17 let us down, that you can't -- at
18 first I thought that one year would
19 be enough time. But then when you
20 think about it, you've been living
21 here for years and a year was not
22 enough time.

23 For example, when I applied
24 for one of these homes here,
25 everything -- like the manager at

1 that time they came out and inspected
2 where you were living at that time.
3 Everything was fine as far as my
4 inspection. The manager had said the
5 only thing we have to do now is to
6 wait for my criminal and my credit
7 background check.

8 Well, I had bad credit and
9 because of my bad credit, I was
10 denied. But the way God blessed me
11 to be able to have one of these
12 houses was because a good friend of
13 my family who was friends with one of
14 the owners, I guess as you say,
15 pushed me through. Okay. And
16 although the manager was bothered and
17 disturbed about me not being able to
18 move in there, he couldn't break the
19 law or the rules. So if I didn't
20 have a good friend that knew one of
21 the owners and pushed me through,
22 then I would have never been able to
23 be in here.

24 And at this time I still have
25 bad credit, and a lot of places let

1 you know from the door they're not
2 accepting even with a voucher anyone
3 with bad credit, so that's been the
4 issue. I'm still here. And it felt
5 like you just get kicked out of your
6 home, you know, we're not renewing
7 the Section 8 or whatever. And it's,
8 like, we're human beings and how can
9 you do a human being like that. You
10 have children and different things.
11 Now, it's not what you do. It's how
12 you do it.

13 I have a blueprint, a picture
14 of a blueprint that was designed in
15 2012. This blueprint showed what
16 they had planned on building here.
17 That was 2012. So a person has a
18 right -- an owner has a right to sell
19 their property and all, but if they
20 knew that this is what their
21 intentions were in 2012, how come we
22 weren't told until 2021.

23 I believe that it should be
24 mandatory for all Section 8 owners,
25 for them to have, say, a contract

1 that's like 20 years at a time. And
2 before it's even finalized, for this
3 owner to have a Section 8 complex --
4 in other words, I might not be making
5 it very clear. But say your landlord
6 and the law is in effect that it's 20
7 years, okay, 20 years at a time.

8 The landlord should have to
9 give at least three to five years'
10 notice so people won't just be given
11 such a short notice and made to move
12 out. That would at least be
13 considerate to all the residents and
14 give them some time to get their
15 credit together or make things that
16 need to be in order. I think that
17 would be a good amount of time. That
18 owner might after 20 years want to
19 continue, but the owner should know
20 three to five years before that
21 20-year deadline whether or not he's
22 going to sell.

23 And at the beginning, I was
24 so devastated, stressed, angry, felt
25 violated. And then I got on my knees

1 and asked God to give me guidance and
2 direction. And all those that were
3 supporting us and with the residents,
4 a lot of people from the outside that
5 were extending their help, I said the
6 only way that this is going to be
7 meaningful is if we have God's power
8 and trust to guide us.

9 This also was the opportunity
10 for us to teach our children to not
11 just accept things that are not
12 morally right or there can be change.
13 If we just laid back and just let it
14 happen or whatever and moved on, it
15 was just going to happen again and
16 again.

17 Ms. Gauthier, you started it
18 and God started with you. And I look
19 at this as not one person, not 10
20 people, not 1,000 people's doing.
21 It's everybody, and God worked with
22 everybody to come to where we are at
23 now. This is supposed to be the City
24 of Brotherly Love. That's not
25 brotherly love. That's not -- when

1 humans should have to be subjected
2 to -- one nation under God with
3 liberty and justice for all, that's a
4 whole contradiction. No one should
5 be just moved around like a piece of
6 furniture. It's not what you do.
7 It's how you do it.

8 I believe that it should be
9 more the government and those that
10 are all part of the government
11 fighting for us. I believe that
12 certain things they shouldn't allow.
13 Okay. We're talking about people and
14 their families, their children. And
15 it had me sick many nights. I didn't
16 sleep. I tossed and turned. I was
17 bitter. I was hurt. I felt
18 violated, disrespected. It's just
19 something that people can do and go
20 home and go to sleep.

21 This was the Lord's victory.
22 I'm still devastated and different
23 things but not like before. It was
24 just -- the outcome of this situation
25 was powerful and it doesn't happen

1 all the time. But this is the
2 beginning of change. It's the
3 beginning of change because most
4 people thought that the outcome
5 wouldn't be what it is.

6 We were blessed. We were
7 blessed. And I mean just look at it,
8 this is the beginning of some serious
9 change. I just -- I thank everyone
10 who's had a part in supporting us and
11 helping us. So many people, pretty
12 much everybody, they're not like
13 believing what the outcome was.

14 So, you know, Ms. Jamie, just
15 look at it for what it is. I know
16 you were fighting and like doing all
17 you can okay, but you have
18 limitations too. This is major for
19 everyone at University City
20 Townhouses and it's extremely major
21 for you. Okay.

22 Things like this don't just
23 happen. You was fair and
24 professional and tried to come to,
25 you know, with you negotiating. You

1 tried your best to keep it
2 professional, polite. But then when
3 you see that was not going two ways,
4 then you did what you had to do for
5 us and --

6 COUNCILWOMAN GAUTHIER:

7 Ms. Connie, I thank you so much. I
8 do think I'm going to have to wrap
9 up.

10 MS. ASTILLERO: Okay. I'm
11 sorry. I apologize for taking so
12 much time but --

13 COUNCILWOMAN GAUTHIER: No,
14 no, no, no. Thank you. Thank you so
15 much for being here. You were the
16 first person that my staff and I met
17 when we came down to the Townhomes in
18 2020 and you've been a consistent
19 source of inspiration. We are so
20 grateful for you, and thank you for
21 giving us what we needed in terms of
22 inspiration to keep going with this,
23 and thank you for being here today
24 because I know it's also painful to
25 relive and to talk about such a

1 traumatic experience.

2 And I want to say the same to
3 Ms. Wanda and JJ. Thank you so much
4 for being here and sharing your
5 stories. We appreciate you.

6 MS. ASTILLERO: And we
7 appreciate you also.

8 COUNCILWOMAN GAUTHIER: Have
9 a good afternoon.

10 MS. ASTILLERO: You too.

11 COUNCILWOMAN GAUTHIER: Are
12 there any other questions or comments
13 for this panel from members of the
14 Committee?

15 (No response.)

16 COUNCILWOMAN GAUTHIER: There
17 being none, Mr. Goodman, will you
18 please call the next panel to
19 testify.

20 THE CLERK: Yes. Our final
21 panelist is Melissa Long.

22 COUNCILWOMAN GAUTHIER: Okay.
23 Great. Melissa Long, can you please
24 state your name for the record and
25 proceed with your testimony. Thank

1 you for being here today.

2 MS. LONG: Yes. Good
3 afternoon, Chairperson Gauthier and
4 other members of the Committee. I'm
5 Melissa Long, the Director for the
6 Division of Housing and Community
7 Development. And I'm pleased to
8 provide testimony on behalf of the
9 Administration and support of both
10 Bill Nos. 221017 and 221018.

11 Thank you, Councilmember,
12 again for the opportunity to work
13 with you, your staff and other
14 members of the Preservation Network
15 on amendments to this bill. We
16 especially appreciate you working
17 with us and the Administration to
18 remove language from Section 7-202(5)
19 that would have required the City to
20 verify the qualifications of
21 potential buyers.

22 As I have provided in
23 previous testimony before City
24 Council, the City, like you and other
25 members of this Committee, are deeply

1 committed to preserving existing
2 affordable rental housing units.
3 Through our last two preservation
4 requests for proposals, the City
5 committed nearly 40 million to
6 preserve 540 affordable rental
7 housing units.

8 In addition to providing very
9 critical development resources to
10 make improvements to existing
11 preservation, we also work with PACDC
12 and LISC, if Andy's still on the
13 phone, and building capacity for our
14 nonprofit developers to help
15 preserve. While we're incredibly
16 supportive of Bill 221017, I do want
17 to note and echo the others'
18 testimony that the City can't do this
19 alone. We do not have enough
20 resources to supply all potential
21 buyers with funding to acquire these
22 affordable rental housing
23 developments, and we look forward and
24 welcome the opportunity to work with
25 the state.

1 And we also continue -- I
2 think I've testified before to the
3 importance of operating subsidies and
4 advocate at the national level for
5 Housing Choice Vouchers and also
6 flexible money for rental assistance.
7 I like, others too, the importance of
8 both of these bills together.

9 We thank you for the
10 opportunity to work on 221018, and I
11 want to give a huge shout-out for
12 City Council Technical staff for
13 creating a database of multi-family
14 housing project, right. And my
15 staff, DHCD staff, have been working
16 with Council staff on creating a
17 public-facing form of this database
18 and will continue to work adding the
19 additional fields and so forth,
20 provided that that information is
21 available.

22 And we have met with LISC and
23 the Preservation Network, and we've
24 been meeting internally because it is
25 very critical to have this resource

1 so that we can plan and be ready and
2 be aware of expiring preservation,
3 multi-family rental projects. So
4 thank you for this opportunity to
5 present testimony on both bills.

6 I can't thank you enough.
7 It's a really great process when
8 we're working together. And I'm
9 happy to answer any questions.

10 COUNCILWOMAN GAUTHIER: Thank
11 you so much, Ms. Long. I want to
12 echo the shout-out to Council Tech
13 Support. They've been invaluable,
14 particularly on Bill 018. And I want
15 to thank you and your team as well.
16 And, yes, we realize that everything
17 that you're saying about more funding
18 is true.

19 I feel enthused about the way
20 that funding has been going in this
21 space with both local and state
22 options that have opened up just in
23 the past few years, and you have
24 certainly my full commitment and I'm
25 sure the commitment of this Committee

1 and the full Council that will work
2 to develop even more sources of
3 funding for this critical need. I
4 don't have any questions.

5 Are there additional
6 questions or comments for this panel
7 from members of the Committee?

8 (No response.)

9 COUNCILWOMAN GAUTHIER: Thank
10 you so much. That concludes panel
11 testimony for these bills.

12 Mr. Goodman, do we have
13 anyone registered to provide public
14 comment?

15 THE CLERK: Yes, we do.
16 So, Council Support, do we need a
17 couple minutes or are we good to jump
18 straight in?

19 COUNCIL SUPPORT: We could
20 call them in now.

21 COUNCILWOMAN GAUTHIER:
22 Perfect. Okay. We'll now take a
23 brief break to connect those
24 individuals who have registered to
25 provide public comments of this

1 hearing.

2 MR. DEL VALLE: Hello. This
3 is Andre. Hello?

4 THE CLERK: Great. That was
5 quick. Thank you. First person
6 registered for public comment is
7 Andre Del Valle.

8 COUNCILWOMAN GAUTHIER: Good
9 afternoon, Mr. Del Valle. Please
10 state your name and proceed with your
11 comment.

12 (No response.)

13 COUNCILWOMAN GAUTHIER:
14 Mr. Del Valle, are you still there?

15 (No response.)

16 COUNCIL TECH SUPPORT: It
17 looks like Mr. Del Valle got
18 disconnected. We're going to try
19 connecting him once more.

20 COUNCILWOMAN GAUTHIER: Okay.

21 MR. DEL VALLE: Hello. This
22 is Andre.

23 COUNCILWOMAN GAUTHIER: Hi,
24 Mr. Del Valle. Can you please state
25 your name and proceed with your

1 comment.

2 MR. DEL VALLE: Sure. Good
3 afternoon, Chairwoman Gauthier and
4 members of the Committee on Housing,
5 Neighborhood Development and the
6 Homeless. My name is Andre
7 Del Valle. I'm the Vice-president of
8 Government Affairs for the
9 Pennsylvania Apartment Association
10 representing just under 285,000 units
11 and 300 property management companies
12 across the Commonwealth.

13 Locally here in Philadelphia
14 we represent over 38,000 units and 49
15 property management companies. I'd
16 like to thank you for allowing me to
17 testify today on Bill No. 221017.
18 The Pennsylvania Apartment
19 Association truly believes in the
20 spirit across collaboration,
21 especially when it comes to
22 legislation impacting the multi-
23 family housing industry.

24 Locally we have worked
25 closely with PHDC assisting in

1 emergency rental assistance rollouts,
2 posting briefings for both housing
3 providers and residents, while also
4 troubleshooting challenges with some
5 of our new City programs. We cross-
6 collaborated with Councilmember
7 Brooks and Community Legal Services
8 on the newly implemented Renters
9 Access Act and with former
10 Councilmember Gym on the Eviction
11 Diversion Program.

12 Just a few weeks ago I met
13 with members of our Pennsylvania
14 Congressional Delegation and our U.S.
15 Senators in Washington, D.C.,
16 advocating for the Choice and
17 Affordable Housing Act, which seeks
18 to revitalize the U.S. Department of
19 Housing and Urban developments, HUD,
20 Section 8 Housing Choice Voucher
21 program.

22 I highlight this cross-
23 collaboration because legislation
24 like the one before you today
25 desperately needs to have an open

1 dialogue among all stakeholders and
2 its selected officials. The
3 legislation before you today in Bill
4 221017 has a number of technical
5 amendments that are needed as well as
6 ambiguous affirmations, which
7 requires the owner of affordable
8 housing properties to provide each of
9 the following at least 12 months
10 written notice of their intent to
11 take protected action in the City.

12 Outside of this notice,
13 there's also a right of first
14 refusal, which seems to be incredibly
15 overreaching as it requires an owner
16 of affordable housing who receives a
17 bona fide offer that the owner
18 intends to accept from an entity
19 other than an eligible party, a
20 tenant or a tenant organization.

21 The owner would then have to
22 accept any matched agreement for sale
23 alike in all material respect and
24 offered received. This creates a
25 minimum of 130-day process, which we

1 believe would disincentivize some of
2 these housing providers to want to
3 continue in the Section 8 program.

4 While we appreciate the
5 cross-collaboration with PHDC and
6 Community Legal Services, we don't
7 believe that either party has the
8 financial resources to purchase an
9 affordable housing here in the City
10 of Philadelphia, simply adding red
11 tape to a program that continues to
12 disincentivize housing providers from
13 wanting to participate in the
14 program.

15 The apartment demand is
16 growing and the industry needs to
17 keep up. However, producing new
18 apartments to meet this demand
19 requires new development approaches,
20 more incentives and fewer
21 restrictions as Philadelphia needs to
22 build 3,000 new apartments each year
23 just to meet the demand.

24 While we understand the
25 intent of the legislation, the

1 requirements and ambiguous
2 definitions will surely lead to more
3 confusion and delays in the sale of
4 private property. The Pennsylvania
5 Apartment Association has and will
6 continue to stress the need for
7 private-public partnerships and
8 cross-collaborating to address the
9 challenges our City faces.

10 We welcome an opportunity to
11 bring all stakeholders together to
12 sit and discuss viable options, while
13 not punishing an owner for wanting to
14 sell their property or reducing our
15 affordable housing stock by
16 disincentivizing housing providers
17 with the requirements in Bill 221017.

18 I'd like to thank you for the
19 opportunity to testify today and look
20 forward to working with this
21 Committee and Councilmembers in the
22 future on any legislation impacting
23 the multi-family housing industry.

24 COUNCILWOMAN GAUTHIER: Thank
25 you so much, Mr. Del Valle, for being

1 here and for your comment. I wanted
2 to offer a response to some of the
3 things that you offered. First, we
4 did engage property owners through
5 the creation of this bill. We also
6 did make significant amendments to
7 the bill post-introduction that I
8 think clear up some of the ambiguity
9 that you're referencing. And beyond
10 that, I'd like to offer a couple of
11 other responses to the things that
12 you said.

13 First, the claim of the bill
14 being an overreach is not true.
15 These steps are established practice
16 in municipalities, large and small,
17 as we've heard through the testimony
18 from Regional Housing as well as from
19 Vince O'Donnell. We consulted with
20 many legal teams on this as well as
21 our own Law Department, and everybody
22 agrees that there haven't been many
23 challenges. I think there was only
24 one challenge to this type of
25 legislation mentioned today due to a

1 misunderstanding of the preemption
2 laws around this issue.

3 Next, I want to clarify that
4 the time period to allow for a
5 possible match is not 130 days, it's
6 60 to 90 days, which is not only in
7 line with other cities like ours, but
8 it's well within the standard due
9 diligence period that would be a part
10 of a large property transaction. So
11 we are not considering that to be
12 disruptive.

13 Once it's adopted and becomes
14 common practice as we heard, it will
15 become second nature to those in the
16 real estate community, and we do not
17 believe that you will see any
18 significant drop-offs or delays in
19 how these deals are processed. In
20 any entity with enough capacity to
21 implement a government affordable
22 housing contract will also be able to
23 implement the minimal notification
24 requirements in the bill. But thank
25 you very much for calling in to

1 comment.

2 Are there any other public
3 commenters today, Mr. Goodman?

4 THE CLERK: No, Madam Chair.

5 COUNCILWOMAN GAUTHIER: Okay.

6 There being no further questions from
7 members of the Committee and no other
8 witnesses to testify, I will ask if
9 there is anyone else present in this
10 hearing whose name we have failed to
11 call and that wishes to offer
12 testimony on the bills being
13 considered today?

14 (No response.)

15 COUNCILWOMAN GAUTHIER: Oh,
16 Councilman -- Vice-Chair Jones, do
17 you have a question or comment?

18 COUNCILMAN JONES: (Muted).

19 COUNCILWOMAN GAUTHIER:
20 You're on mute.

21 COUNCILMAN JONES: Yeah.
22 Thank you, Madam Chair.

23 From the perspective of the
24 Apartment Owners Association, could
25 they put in writing what is ambiguous

1 about this that they would like some
2 clarity on?

3 COUNCILWOMAN GAUTHIER: I
4 think they sent around something
5 earlier, but I didn't get it until
6 12:30.

7 COUNCILMAN JONES: All right.

8 COUNCILWOMAN GAUTHIER:
9 But --

10 COUNCILMAN JONES: Well, I'll
11 look at it as well. There is a
12 delicate balance, but there has to be
13 protections but it does not have to
14 be onerous. And so, we'll take a
15 look at it and I'll make -- I am
16 going to vote this out and vote in
17 favor of it. But we have time for
18 final passage to make amendments, if
19 they are necessary.

20 COUNCILWOMAN GAUTHIER: Okay.
21 Thank you. There being no further
22 questions from members of the
23 Committee and no other witnesses to
24 testify, I want to thank all the
25 panels and witnesses for their

1 participation today. We value your
2 opinions.

3 I now invite all panels and
4 witnesses to please disconnect before
5 we go into our public meeting. We
6 will now pause the proceedings
7 briefly as multiple participants
8 leave the hearing.

9 (Background interruption.)

10 COUNCILWOMAN GAUTHIER:
11 Councilmember, you're off mute.

12 COUNCILMAN JONES: Yeah, I
13 was whispering to myself. Sorry.

14 COUNCILWOMAN GAUTHIER: I'm
15 just keeping you covered.

16 If we can get all the
17 witnesses to disconnect now, thank
18 you. Mr. Goodman, are we okay to
19 proceed?

20 THE CLERK: Yes, I believe
21 so, Madam Chair.

22 COUNCILWOMAN GAUTHIER: Okay.
23 This concludes the public hearing of
24 the Committee. We will now go into a
25 public meeting to consider the

1 actions to be taken on the bills
2 before this Committee today.

3 Mr. Goodman, will you please
4 call the roll to take attendance.

5 THE CLERK: Councilmember
6 Bass.

7 (No response.)

8 THE CLERK: Councilmember
9 Bass.

10 (No response.)

11 THE CLERK: I'll come back.
12 Councilmember Brooks.

13 COUNCILWOMAN BROOKS:
14 Present.

15 THE CLERK: Thank you.
16 Councilmember Gilmore Richardson.

17 (No response.)

18 THE CLERK: Councilmember
19 Driscoll.

20 COUNCILMAN DRISCOLL: Present.

21 THE CLERK: Thank you.
22 Councilman Squilla.

23 (No response.)

24 THE CLERK: Councilmember
25 Squilla.

1 (No response.)

2 THE CLERK: Vice-Chairman

3 Jones.

4 COUNCILMAN JONES: Madam

5 Chair, I am present.

6 THE CLERK: Thank you. And

7 I'll try once more.

8 Councilmember Bass.

9 (No response.)

10 COUNCILMAN SQUILLA:

11 Mr. Chair, this is Mark Squilla.

12 Present.

13 COUNCILWOMAN GAUTHIER:

14 Councilmember Bass, can you hear us?

15 (No response.)

16 COUNCILWOMAN GAUTHIER: Do we

17 have a quorum?

18 THE CLERK: Yes, you have

19 five Council -- five Committee

20 members present.

21 COUNCILWOMAN GAUTHIER: Okay.

22 Thank you.

23 The Chair recognizes

24 Councilmember Jones for a motion on

25 Bill No. 221017.

1 COUNCILMAN JONES: Thank you,
2 Madam Chair.

3 I offer an amendment to Bill
4 No. 221017. A copy of that amendment
5 has been circulated to members of the
6 Committee, and I move for its
7 adoption.

8 COUNCILWOMAN GAUTHIER: It
9 has been moved and properly seconded
10 that -- oh, wait a second.

11 COUNCILWOMAN BASS: Second.

12 COUNCILWOMAN GAUTHIER: Thank
13 you.

14 COUNCILWOMAN BASS: This is
15 Councilwoman Bass seconding.

16 COUNCILWOMAN GAUTHIER: Thank
17 you so much. It has been moved and
18 properly seconded that the amendment
19 to Bill No. 221017 be adopted.

20 All in favor will indicate by
21 saying aye.

22 (Aye.)

23 COUNCILWOMAN GAUTHIER: Those
24 opposed?

25 (No response.)

1 COUNCILWOMAN GAUTHIER: Those
2 opposed?

3 (No response.)

4 COUNCILWOMAN GAUTHIER: The
5 ayes have it and the bill has been
6 amended.

7 The Chair recognizes
8 Councilmember Jones for a motion on
9 all of the bills heard today.

10 COUNCILMAN JONES: Thank you,
11 Madam Chair.

12 I move that Bill No. 221017
13 as amended be moved from this
14 Committee with a favorable
15 recommendation and further move that
16 the rules of Council be suspended to
17 allow first reading at our next
18 session of Council.

19 COUNCILWOMAN BASS: Second.

20 COUNCILWOMAN GAUTHIER: It
21 has been moved and properly seconded.

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

24 (Aye.)

25 COUNCILWOMAN GAUTHIER: Those

1 opposed?

2 (No response.)

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

5 The Chair recognizes
6 Councilmember Jones for a motion on
7 Bill No. 221018.

8 COUNCILMAN JONES: Thank you,
9 Madam Chair.

10 I offer an amendment to Bill
11 No. 221018. A copy of that amendment
12 has been circulated to all members of
13 Council and I move for its adoption.

14 COUNCILWOMAN BASS: Second.

15 COUNCILMAN SQUILLA: Second.

16 COUNCILWOMAN GAUTHIER: It
17 has been moved and properly seconded
18 that the amendment to Bill No. 221018
19 be reported out of Committee.

20 All in favor will indicate by
21 saying aye.

22 (Aye.)

23 COUNCILWOMAN GAUTHIER: Those
24 opposed?

25 (No response.)

1 COUNCILWOMAN GAUTHIER: The
2 ayes have it and the bill -- the ayes
3 have it. Wait a second. I think I
4 messed up. I'm sorry.

5 COUNCILMAN JONES: It's all
6 right.

7 COUNCILWOMAN GAUTHIER: I
8 think I was supposed to do that
9 amendment on this bill first.

10 COUNCILMAN JONES: So we
11 passed --

12 COUNCILWOMAN GAUTHIER: Let's
13 do it again.

14 COUNCILMAN JONES: Yes. All
15 right. Madam Chair, I offer an
16 amendment to Bill No. 221018. A copy
17 of that amendment has been circulated
18 to all members of Council and I move
19 for the adoption of the amendment.

20 COUNCILWOMAN GAUTHIER: Thank
21 you. Sorry about that.

22 Is there a second?

23 COUNCILWOMAN BROOKS: Second.

24 COUNCILWOMAN GAUTHIER: It
25 has been moved and properly seconded

1 that the amendment to Bill No. 221018
2 be adopted.

3 All in favor will indicate by
4 saying aye.

5 (Aye.)

6 COUNCILWOMAN GAUTHIER: Those
7 opposed?

8 (No response.)

9 COUNCILWOMAN GAUTHIER: The
10 ayes have it and the bill has been
11 amended.

12 Now, I recognize
13 Councilmember Jones for a motion on
14 all of the bills heard today.

15 COUNCILMAN JONES: Thank you,
16 Madam Chair.

17 I move that Bill No. 221018
18 as amended be moved from this
19 Committee with a favorable
20 recommendation and further move that
21 the rules of Council be suspended to
22 allow first reading of this bill at
23 our next session of Council.

24 COUNCILWOMAN GAUTHIER: Is
25 there a second?

1 COUNCILWOMAN BROOKS: Second.

2 COUNCILWOMAN GAUTHIER: It
3 has been moved and properly seconded.

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 This concludes the business
13 before the Committee on Housing,
14 Neighborhood Development and the
15 Homeless for today. Thank you all
16 very much for your attendance. Thank
17 you for your work and your
18 partnership on this issue and for all
19 of your support. I really, really
20 appreciate all of you.

21 COUNCILMAN JONES: Thank you,
22 Madam Chair.

23 COUNCILWOMAN BROOKS: Thank
24 you, Madam Chair. Have a great day.

25 COUNCILWOMAN GAUTHIER: Have

1 a great day.

2 COUNCILWOMAN BROOKS: Bye,
3 everyone.

4 COUNCILWOMAN GAUTHIER: You
5 too. Bye-bye.

6 (Committee on Housing,
7 Neighborhood Development and The
8 Homeless concluded at 3:17 p.m.)

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

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

TANEHA CARROLL
Court Reporter - Notary Public

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