

Development and the Homeless Committee on housing Neighborhood
October 20, 2021

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

Remote location using Microsoft® Teams
Wednesday, October 20, 2021
10:00 a.m.

PRESENT:

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

RESOLUTION: 210695

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2 COUNCILWOMAN GAUTHIER: Good
3 morning, everyone.

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

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

22 Eliza Alford, would you please
23 call the roll to take attendance.
24 Members that are in attendance will
25 please indicate that you are present

1 when your name is called. Also, please
2 say a few brief words when responding so
3 that your image will be displayed on
4 screen when you speak.

5 THE CLERK: Councilmember
6 Jones.

7 COUNCILMAN JONES: Madam Chair,
8 colleagues, good morning. Looking
9 forward to an important discussion.

10 COUNCILWOMAN GAUTHIER: Good
11 morning.

12 THE CLERK: Councilmember
13 Gilmore Richardson.

14 COUNCILWOMAN GILMORE
15 RICHARDSON: Good morning, Madam Chair.
16 Good morning, colleagues. I'm looking
17 forward to this hearing today.

18 THE CLERK: Councilmember
19 Quinones-Sanchez.

20 COUNCILWOMAN QUINONES-SANCHEZ:
21 Good morning, Madam Chair and
22 colleagues. Looking forward to today's
23 conversation. Thank you.

24 COUNCILWOMAN GAUTHIER: Good
25 morning.

1 THE CLERK: Councilmember Domb.

2 COUNCILMAN DOMB: Good morning,
3 Madam Chair and colleagues. Thank you,
4 Councilmember Gilmore Richardson, for
5 bringing this topic to the forefront.

6 THE CLERK: Councilmember
7 Brooks.

8 COUNCILWOMAN BROOKS: Good
9 morning, Madam Chair and colleagues and
10 participants. I'm looking forward to
11 this conversation.

12 THE CLERK: Councilmember Bass.

13 COUNCILWOMAN BASS: Good
14 morning, Madam Chair, colleagues and the
15 City of Philadelphia. Looking forward
16 to a very important conversation today.
17 Thank you.

18 COUNCILWOMAN GAUTHIER: Good
19 morning.

20 THE CLERK: Councilmember
21 Gauthier.

22 COUNCILWOMAN GAUTHIER: Good
23 morning everybody. I'm also looking
24 forward to the conversation and
25 appreciate everyone being here.

1 So a quorum of the Committee
2 has been established and this hearing is
3 now called to order. This is the public
4 meeting of the Committee on Housing,
5 Neighborhood Development and the
6 Homeless regarding Resolution No.
7 210208.

8 Ms. Alford, will you please
9 read the title of the resolution.

10 THE CLERK: Resolution 210695,
11 a resolution authorizing the
12 Philadelphia City Council Committee on
13 Housing, Neighborhood Development and
14 the Homeless to hold a hearing to
15 discuss the impact of tangled titles in
16 Philadelphia.

17 COUNCILWOMAN GAUTHIER: Before
18 we begin to hear testimony from the
19 witnesses we have for today, everyone
20 who has been invited to the meeting to
21 testify should be aware that this public
22 hearing is being recorded. Because the
23 hearing is public, participants and
24 viewers have no reasonable expectation
25 of privacy. By continuing to be in the

1 meeting, you are consenting to being
2 recorded.

3 Additionally, prior to
4 recognizing Members for the questions or
5 comments that they have for witnesses, I
6 will note for the record at this time
7 that we will use the chat feature
8 available in Microsoft Teams to allow
9 Members to signify that they wish to be
10 recognized. In order to comply with the
11 Sunshine Act, the chat feature must only
12 be used for this purpose.

13 And so, good morning everyone.
14 Thank you so much for attending this
15 Housing Committee hearing to discuss the
16 impact of tangled titles on the City of
17 Philadelphia. I'm very grateful to my
18 colleague Katherine Gilmore Richardson
19 for her leadership and partnership on
20 this issue and for her dedication to
21 solving this serious problem for our
22 City.

23 Thanks to a recent report from
24 the Pew Charitable Trust, we have
25 confirmation for what residents of West

1 and Southwest Philadelphia --

2 (Background interruption.)

3 COUNCILWOMAN GAUTHIER: If we
4 can all make sure that we are on mute,
5 that would be wonderful. So thanks from
6 a recent report from the Pew Charitable
7 Trust, we have a confirmation for what
8 many residents of West and Southwest
9 Philadelphia already knew to be true,
10 that tangled titles are a major barrier
11 to creating intergenerational wealth in
12 our communities and they
13 disproportionately affect Black
14 homeowners in low-income neighborhoods.

15 When a title to a property is
16 tangled, residents cannot benefit from
17 the value that exists within their
18 homes, but they're expected at the same
19 time to maintain their homes and to pay
20 taxes on the property regardless. A
21 tangled title also makes it infinitely
22 more difficult for residents to access
23 resources like loans and city-run repair
24 programs that can be a real lifesaver
25 when it comes to maintaining a

1 property, especially for low-income
2 homeowners.

3 And as a result, homes with
4 tangled titles often fall into disrepair
5 and are sometimes even abandoned, in
6 turn creating conditions that make our
7 communities vulnerable to disinvestment
8 and increased levels of violence. If
9 stable safe neighborhoods are our goal
10 as a City, then addressing

11 Philadelphia's tangled title issue is a
12 necessary step in the right direction.

13 Great work is already being
14 done to address this issue both by City
15 agencies like the Register of Wills and
16 the Department of Records as well as
17 legal aid organizations like Community
18 Legal Services and Philadelphia VIP,
19 which coordinate pro bono support from
20 private practice attorneys.

21 As the Chair of Council's
22 Housing Committee and as a
23 representative of the District with the
24 highest volume of tangled title
25 properties, I feel it's important to

1 advocate for residents and to address
2 this problem in any way that I can. And
3 that's why I'm really proud of the \$7.6
4 million that City Council as a body
5 allocated towards tangled titles over
6 four years of the Neighborhood
7 Preservation Initiative.

8 In looking further down the
9 road, I plan to call for increased
10 funding to support and expand the
11 existing effort to address tangled
12 titles. I think additional resources
13 will allow us to offer even more
14 extensive assistance to more
15 Philadelphians struggling with this
16 problem. Because homeownership is one
17 of the clearest paths to building
18 generational wealth, it's incredibly
19 important that we clear that path for
20 all Philadelphians.

21 Housing equity has been my
22 number one priority since I was on the
23 campaign and in my career before City
24 Council, and I'll continue to fight for
25 it until every resident has access to

1 safe, affordable housing that they can
2 pass on to the next generation.

3 And with that, I wanted to open
4 it up to my colleague Councilmember
5 Gilmore Richardson for any opening
6 remarks.

7 COUNCILWOMAN GILMORE

8 RICHARDSON: Well, thank you. Thank you
9 so much, Madam --

10 COUNCILMAN SQUILLA: Madam
11 Chair, I'm sorry. This is Councilmember
12 Squilla. I just wanted to be recorded
13 as present for the hearing. Thank you.

14 COUNCILWOMAN GAUTHIER:

15 Wonderful. Good morning.

16 Go ahead, Councilmember Gilmore
17 Richardson.

18 COUNCILWOMAN GILMORE

19 RICHARDSON: Okay. Thank you. Thank
20 you so much, Madam Chair, and good
21 morning to you and to our colleagues.
22 First, I just want to thank you for
23 co-introducing this resolution with me
24 and really understanding the importance
25 and significance of this issue,

1 particularly for families in the 3rd
2 Council District but really across the
3 entire City of Philadelphia.

4 I especially want to thank our
5 Register of Wills Tracey Gordon for
6 highlighting this issue across the City
7 in very unique ways, particularly via
8 social media, and our Records
9 Commissioner Leonard for all the work
10 they've done together on the PDI
11 initiative as well as all of our legal
12 aid organizations and our planning
13 department. We know and recognize from
14 the Pew report that there are over
15 10,000 families living in homes that
16 were owned by their deceased loves ones,
17 in homes that are most likely worth a
18 lot more than they were when their loved
19 ones first acquired the property.

20 Additionally, Madam Chair,
21 there are many families losing their
22 generational legacy and wealth because
23 they are unable to resolve a tangled
24 title or deed. And I know this from
25 personal experience. First, my dad died

1 without a will. And incidentally today
2 is his birthday so this hearing is for
3 you, Dad. And then my grandmother died
4 and eight months later, my mom died.
5 And my sister and I were left with two
6 houses in Wynnefield, Councilmember
7 Jones, both with mortgages. My dad's
8 estate was never resolved and we had no
9 idea what to do.

10 So a lot of months, a lot of
11 money, a lot of blood, sweat and a whole
12 lot of tears later, we got it done. It
13 was difficult. And in a city like
14 Philadelphia where so many of our
15 residents live in underserved
16 communities working in low wage jobs, it
17 is almost impossible to imagine a
18 positive outcome like the one my sister
19 and I enjoy. So today, I'm looking
20 forward to having a robust discussion
21 about tangled titles and deeds in our
22 City about what more we can do to ensure
23 that we are helping as many families as
24 possible through this issue.

25 So again, Madam Chair, I thank

1 you. I thank you for always standing up
2 in the housing community. To all of my
3 colleagues here, thank you for
4 participating in this hearing. To all
5 of the witnesses and to everyone
6 assembled, we thank you very, very much
7 and we know we are going to move the
8 needle on this issue.

9 And finally, I have to say
10 thank you, thank you, thank you, Council
11 President. Thank you for the allocation
12 through the Neighborhood Preservation
13 Initiative of the \$7.6 million for
14 tangled titles and deeds, \$1.9 million
15 per year over the next four years. That
16 robust investment will triple, triple
17 the investment year over year for the
18 next four years to help families resolve
19 tangled titles and deeds. So I want to
20 thank you for your commitment. I want
21 to thank you for always picking up the
22 phone and picking up the call and
23 understanding how important this issue
24 is to me, to our colleagues and to
25 families that we serve in the City of

1 Philadelphia.

2 Thank you very much, Madam
3 Chair.

4 COUNCILWOMAN GAUTHIER: Thank
5 you so much for sharing such a personal
6 story. And I'm sorry that you had to
7 experience so many great losses in
8 recent years.

9 Are there any other members of
10 the Committee that would like to make
11 opening remarks before we move on?

12 (No response.)

13 COUNCILWOMAN GAUTHIER: Okay.
14 Ms. Alford, will you please call the
15 first panel or witness that we have to
16 testify this morning.

17 THE CLERK: Ms. Michelle Mahan.

18 COUNCILWOMAN GAUTHIER: Good
19 morning, Ms. Mahan. Are you connected
20 and ready to proceed?

21 MS. MAHAN: Good morning. Can
22 you hear me?

23 COUNCILWOMAN GAUTHIER: We can
24 hear you. Please state your name for
25 the record and go ahead and proceed with

1 your testimony.

2 MS. MAHAN: Okay. My name is
3 Michelle Mahan. I live on a small
4 street in Germantown. My grandmother
5 and my uncle helped my mother buy this
6 two-story brick home back in the 1960s.
7 I was 11 years old. My younger brother
8 and I attended Joseph Pennell Elementary
9 School just blocks away. But one of the
10 things that is so special about the
11 street is that there are third and
12 fourth generation families still living
13 here, families that I've known for over
14 50 years.

15 But in 1986, my mom became
16 unexpectedly ill and she passed away
17 within six months, and it was really
18 hard on all of us, but it was really the
19 most hard on my younger brother. After
20 my mother's funeral, the family didn't
21 see him or have contact. He just
22 disappeared.

23 Since my mother didn't have a
24 will and my younger brother was out of
25 contact, it was difficult to settle the

1 estate. We did try to find him over the
2 years. But when I looked into the legal
3 process, the cost was well above
4 anything I could manage. I just
5 couldn't do it. This home was the first
6 property my mother's family ever owned,
7 and she really worked to maintain it.
8 And it just hurts me that I can't
9 address the upkeep of this property
10 because the title is tangled. There's
11 little I can do to afford to take care
12 of it on my own. Actually I have
13 friends that always tell me about
14 programs the City has to offer, but of
15 course I don't qualify. Technically, I
16 am not the owner and it's really, really
17 frustrating.

18 I also became concerned more
19 and more with investors coming around
20 asking to buy the property for cash. I
21 was hearing that there was real estate
22 that's occurring in the City. So with
23 the house title in my deceased mother's
24 name, I began to feel really, really
25 vulnerable. I believe it was around

1 April of this year, East Mount Airy
2 Neighbors held a home and safety
3 workshop on Zoom addressing deeds and
4 tangled titles.

5 I made it my business to attend
6 and I heard Tracey Gordon from the
7 Register of Wills Office and several
8 others, including Michael Froehlich,
9 speak about so many homes in
10 Philadelphia being in this situation. I
11 realized that I was not alone. But more
12 importantly, the opportunity came to
13 correct the ownership status of my home
14 and I realized help had arrived. So I
15 called the number right away. I spoke
16 to Michael at Community Legal Services
17 and began the process.

18 But the very thing he did was
19 assign me to a highly skilled and
20 dedicated paralegal, Dot Goldberger.
21 She was able to find my brother after no
22 contact with him for 35 years. This is
23 huge. It's huge for my whole family and
24 the fact of being able to get our house
25 together. So they had been guiding me

1 through the legal process to raise my
2 mother's estate. Believe me, I couldn't
3 have done this on my own, nor could I
4 afford to hire an attorney. And to all
5 of this, I learned the importance of
6 having a will, and they were able to
7 help me with that too.

8 I hope the City will make this
9 program more visible for the public.
10 East Mount Airy Neighbors is a very
11 proactive community, but a lot of
12 communities are not. I didn't receive
13 this information in Germantown where I
14 live, so what about other parts of the
15 City. Maybe there are other means of
16 outreach so that families in Philly can
17 feel more secure in their home, apply
18 for programs if needed, and that they
19 can get the help they need to maintain
20 their properties.

21 For me, this has made a huge
22 big difference. Thank you so much for
23 all the work you guys are doing. I
24 really appreciate it.

25 COUNCILWOMAN GAUTHIER: Thank

1 you so much, Ms. Mahan. And thanks for
2 sharing such a personal story. And I'm
3 really glad that you were able to find
4 your way to our Register of Wills and
5 all of the agencies, CLS and everybody
6 else who helped you. But you make a
7 good point that we have to make these
8 resources more visible so that we can
9 help more people. Thank you so much for
10 being with us today.

11 Are there any questions or
12 comments from the Committee for this
13 witness?

14 (No response.)

15 COUNCILWOMAN GAUTHIER: Okay.
16 We will move on to the next panel.
17 Ms. Alford, will you please call the
18 next panel to testify.

19 COUNCILWOMAN GILMORE
20 RICHARDSON: Madam Chair.

21 COUNCILWOMAN GAUTHIER: Yes,
22 I'm sorry. Had you indicated that you
23 wanted to -- I'm so sorry. Go ahead.

24 COUNCILWOMAN GILMORE
25 RICHARDSON: Yes. Thank you so much,

1 Madam Chair --

2 COUNCILMAN JONES: Madam

3 Chair --

4 COUNCILWOMAN GAUTHIER: I'm

5 just skipping everybody. I'm sorry.

6 Councilman Jones --

7 COUNCILMAN JONES: In the chat

8 feature I'm asking questions, but it's

9 for the Register of Wills.

10 COUNCILWOMAN GAUTHIER: Okay.

11 So when we get to that, you'll have your

12 chance to ask questions.

13 COUNCILMAN JONES: Thank you.

14 COUNCILWOMAN GAUTHIER:

15 Councilwoman Gilmore Richardson, go

16 ahead.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Thank you. Thank you,

19 Madam Chair.

20 Just quickly, Michelle, I just

21 wanted to thank you for sharing your

22 story and thank you so much for being a

23 part of this hearing. I too am so happy

24 that you've been able to find your

25 brother, but also that you've been

1 connected to ROW and to CLS to continue
2 resolving this.

3 And I wanted to add that we are
4 also through the work of Council
5 President's NPI initiative adding
6 additional support for help with repairs
7 for homeowners. And I do receive your
8 feedback and your testimony that we must
9 do more to ensure we are educating our
10 constituents around this issue and
11 making programs more readily available
12 across the City, particularly in
13 communities that may not have very
14 robust community organization. So thank
15 you very, very much, and I was taking
16 notes while you were speaking for
17 additional follow-up for myself and my
18 colleagues. So thank you so much, and
19 I'm just so very happy for you.

20 COUNCILWOMAN GAUTHIER: Okay.
21 So now, Ms. Alford, will you please call
22 the next panel to testify.

23 THE CLERK: Mr. Garrett
24 Hincken.

25 COUNCILWOMAN GAUTHIER: Good

1 morning, Mr. Hincken. Are you connected
2 and ready to proceed?

3 MR. HINCKEN: I believe so,
4 yes. Can you hear me okay?

5 COUNCILWOMAN GAUTHIER: Yes, we
6 can hear you. Please state your name
7 for the record and proceed with your
8 testimony.

9 MR. HINCKEN: Sure. My name is
10 Garrett Hincken. I'm a researcher at
11 the Pew Charitable Trust's Philadelphia
12 Research and Policy Initiative, PRPI. I
13 would like to thank Chair Gauthier,
14 Vice-Chair Jones, Councilmember
15 Richardson and members of the Committee
16 for this opportunity today.

17 At PRPI, we conduct independent
18 nonpartisan research and engage with
19 policymakers and civic partners to
20 address important challenges facing
21 Philadelphia, Pew's hometown. One of
22 those challenges is tangled titles, the
23 hometown term for property with unclear
24 ownership. Somebody living in the home
25 of the tangled title has all the

1 obligations of homeownership, paying
2 taxes and maintaining property, but few
3 of the resources and protections
4 afforded to deedholders. For resolving
5 these, it can be daunting, particularly
6 for households with limited means. But
7 left unresolved, tangled titles undercut
8 family wealth, preservation of
9 affordable housing and ultimately
10 neighborhood stability.

11 In August, we released a
12 detailed report looking at the issue
13 which is available on our website. I'd
14 like to spend just a quick few minutes
15 walking through our key findings.
16 First, we looked at how tangled titles
17 arised. There's many ways. The most
18 common scenario is when the owner of
19 record dies and the relative who
20 inherits the property but does not
21 record a new deed. The existence of a
22 will, although helpful, is not enough in
23 itself. A tangled title still needs --
24 a tangled title can still result unless
25 the will goes through the legal process

1 known as probate and the deed is filed
2 with the City.

3 We also examined how widespread
4 the problem is and found at least 10,407
5 Philadelphia households grappling with
6 the tangled title. Collectively, those
7 affected homes are valued at \$1.1
8 billion, so a significant amount of
9 money, family wealth potentially at
10 risk. We examined where they're found
11 and they exist in every part of the
12 City, but clearly affects some
13 neighborhoods more than others. The
14 incidence is highest in parts of North,
15 Upper North, West and Southwest of
16 Philadelphia, areas that account for
17 half of the tangled titles and only a
18 third of all residential properties.

19 In my written testimony, we've
20 included a chart breaking out the
21 numbers by Council District, where the
22 greatest numbers are found in the 3rd,
23 5th and 8th Districts. Those
24 neighborhoods most affected tend to be
25 those with relatively low housing

1 values, low incomes and high poverty
2 rates. The populations hardest hit are
3 predominantly Black, while those least
4 affected are majority White. I think
5 differing levels of estate planning
6 likely contribute to that dynamic.

7 A national study we looked at
8 found that among people over age 50,
9 only 20 percent of Black people have
10 valid wills compared with 63 percent of
11 White people. And in Philadelphia, 49
12 percent of Black households own their
13 own homes, which is the highest rate of
14 Black homeownership among the 50 largest
15 cities in the country.

16 The prevalence of tangled
17 titles in majority Black neighborhoods
18 threatened that high level of
19 homeownership and its potential to build
20 wealth across generations. Exploring
21 what it takes to resolve a tangled
22 title, we found that doing so usually
23 requires an attorney and can be very
24 time-consuming, tedious and expensive.
25 Without legal assistance, fee waivers or

1 subsidies, the cost can be significant.
2 We came up with the number \$9200 for the
3 simplist case. So that suggests that
4 remedying 10,000-plus tangled titles is
5 roughly \$96 million, which is a
6 significant amount of money, but it's
7 less than a tenth of the 1.1 billion in
8 housing wealth potentially at risk.

9 So for as long as the title
10 remains tangled, the affected homeowner
11 will find themselves unable to sell the
12 home, take out a home equity loan,
13 obtain homeowner's insurance,
14 participate in City home repair
15 programs. Additionally, they'll face
16 obstacles participating in relief
17 programs that can help with real estate
18 taxes and Water Department charges. All
19 together these limitations put a home,
20 in many cases the family's primary
21 source of accumulated wealth at greater
22 risk of deterioration and foreclosure and
23 in some cases, deed theft.

24 So remedying a tangled title
25 can make a world of difference. One

1 gentleman interviewed for our report had
2 lived for eight years in his family's
3 long-time Northeast Philadelphia home
4 before getting the title untangled.

5 Looking back at the experience he said,
6 I went a lot of places and they told me,
7 you can't get the help. And now I do.
8 I can say, here's the deed, what can we
9 do.

10 Our research shows there's at
11 least 10,000 Philadelphians out there
12 who still don't know what that feels
13 like. So thank you for the opportunity
14 to share this research and for the
15 ongoing work of this Committee.

16 COUNCILWOMAN GAUTHIER: Thank
17 you so much for your testimony today. I
18 wanted to ask your opinion. What
19 additional resources do you think can be
20 made available to prevent residents'
21 titles from becoming tangled?

22 MR. HINCKEN: For this, the
23 panelists you have coming up next are
24 basically all my sources for this report
25 who I think are closest to the ground

1 int the action, so I would like to
2 really hear more what they have to say
3 than me. But I think hitting it early
4 and making sure that people know where
5 to go for help and what they need to do,
6 that it is an issue when someone dies
7 and the longer it goes on, the harder it
8 is to deal with.

9 COUNCILWOMAN GAUTHIER: Thank
10 you so much.

11 And, Councilmember Gilmore
12 Richardson, I see you have questions for
13 this panelist.

14 COUNCILWOMAN GILMORE

15 RICHARDSON: Yes. Thank you so much,
16 Madam Chair.

17 Garrett, thank you. Thank you
18 very much for your research and for all
19 of the information you have shared with
20 our office and just really helping us to
21 understand the scope of this issue in
22 the City. Now, I wanted to clarify for
23 the record, and I know in your report
24 you stated that there are over 10,407
25 tangled titles that you estimate are in

1 Philadelphia, but that could be a low
2 estimate.

3 Could you tell us why and go
4 into a little more detail about that so
5 we understand that this problem may be
6 much larger than we see from a numbers
7 perspective.

8 MR. HINCKEN: Sure. We say at
9 least because those are the ones we
10 could identify using our methods. As I
11 mentioned in my comments, there's a few
12 ways that tangled titles can happen.
13 It's not just when someone passes away.
14 It could be failed rent-to-own
15 agreement. It could be deed theft. It
16 could be just a recording issue, but the
17 only ones we were able to identify were
18 taking the property ownership from the
19 property records and the record
20 ownership from the property records and
21 from the recorded deeds and matching
22 those with a service that was able to
23 check them against the Social Security
24 death masters file. So if it had the
25 same name and address and they came up

1 dead, then we flagged those as tangled
2 titles.

3 But there are people who might
4 have changed names, changed addresses
5 that we wouldn't have been able to
6 catch, and also through those other
7 means that we wouldn't be able to
8 identify. From what the Tangled Title
9 Fund has done, we think it's 75 percent
10 of tangled titles are attributable to
11 the death of the record owner. But we
12 were able to identify some unknown
13 portion of that 10,000 or of that 75
14 percent. There are more out there that
15 they're just hard to find as part of the
16 problem.

17 COUNCILWOMAN GILMORE
18 RICHARDSON: It's very, very
19 challenging. And lastly, I want to get
20 this on the record because I do think
21 this is important. In the study, you
22 noted that 32 percent of Philadelphians
23 with tangled titles are tax delinquent
24 compared to 9 percent of Philadelphians
25 city-wide. And that 39 percent of

1 Philadelphians with tangled titles are
2 in payment programs compared to 34
3 percent Philadelphians city-wide.

4 So could you just speak to for
5 the record some of the challenges
6 individuals are having with tangled
7 titles and why they are more likely to
8 be tax delinquent? And were you able to
9 determine why a higher rate of those
10 with in tangled titles are in payment
11 programs?

12 MR. HINCKEN: Well, I'd say to
13 answer the last part first -- and this
14 is kind of something I heard from
15 Michael Froehlich at CLS -- that people
16 with tax issues is one of the issues
17 that was bringing them in, that when
18 they went to get into an Owner-Occupied
19 Payment Agreement, only then did they
20 realize that they had a tangled title.
21 And DHCD does work with people that you
22 have a three-year window to kind of show
23 ownership to be able to participate in
24 the program. But you still have to go
25 through the whole probate process. You

1 still have to do the whole thing, but
2 that does kind of bring you into the
3 system.

4 But until then for a home
5 equity loan or getting a grant, things
6 that are kind of attached to the deed,
7 if you're not the owner of it, even if
8 legally you are the equity owner or
9 things that attorneys coming up can
10 speak about more clearly. But for most
11 intents and purposes, it's the deed how
12 you prove ownership. And without that
13 written document, you're out of luck.

14 COUNCILWOMAN GILMORE

15 RICHARDSON: Yes. And do you think
16 there's any additional payment programs
17 or programs that would be helpful
18 specifically to those dealing with
19 tangled titles and deeds? And I'll
20 preface it by saying even those that can
21 prove equitable ownership or those just
22 dealing with the tangled title or deed?

23 MR. HINCKEN: For the payment
24 programs and for the Owner-Occupied, for
25 the Water Department and the City, there

1 are ways to kind of provisionally get
2 involved. I think for the repair
3 programs it's not possible, and I think
4 that has to do with them putting a lien
5 against the property which the record
6 owner would have to agree to. But I'm
7 not sure what can be done there. But I
8 know for repair stuff, you're even more
9 stuck than with the tax issues. But
10 again, you got a great panel coming up
11 who is closer to the ground.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Thank you. Thank you so
14 much.

15 And thank you, Madam Chair.

16 COUNCILWOMAN GAUTHIER: Thank
17 you. I just want to thank you so much
18 for your testimony and for all of that
19 insight.

20 I just want to check that there
21 are no more questions or comments for
22 this panelist before we move on.

23 (No response.)

24 COUNCILWOMAN GAUTHIER: Okay.
25 Ms. Alford, will you please call the

1 next panel or witness to testify.

2 THE CLERK: Register Gordon,
3 Commissioner Leonard, Commissioner
4 Breslin, Melissa Long and Chief Assessor
5 Aros.

6 COUNCILWOMAN GAUTHIER: Okay.
7 Good morning, Register Gordon.

8 REGISTER GORDON: Good morning.
9 How are you?

10 COUNCILWOMAN GAUTHIER: I'm
11 well. If you're ready to proceed,
12 please state your name for the record
13 and go ahead with your testimony.

14 REGISTER GORDON: Yes. I have
15 a prepared statement. My name is Tracey
16 Gordon. I'm the Register of Wills and
17 Clerk of Orphans' Court here in the
18 County of Philadelphia. Thank you for
19 inviting me to testify today about
20 tangled titles. This is a subject I
21 passionately want our City to address.

22 When a property is in the name
23 of a deceased person, two things can
24 happen. One, it can pass down through
25 the legal process by will or by

1 intestate law if there's no will. The
2 second thing that can happen is nothing,
3 nothing. When nothing happens,
4 properties titled to a deceased person
5 become tangled titles. These properties
6 don't create generational wealth. You
7 can't sell them. You can't borrow
8 against them. You can't get FEMA, which
9 is government assistance. You can't get
10 Basic Systems Repair grants, which is
11 free money that comes from local, state
12 and federal. Why? Because they are in
13 the name of a dead person.

14 Often these properties become
15 abandoned buildings, contributing to
16 blight and gentrification. Then comes
17 the crime and the drugs and the violence
18 communities suffer, businesses leave
19 continuing the cycle. The Pew
20 Charitable Trust did a recent study that
21 estimates there are over 10,000 tangled
22 titles in Philadelphia, Pennsylvania.
23 That's not 10,000 people, but 10,000
24 homes which means 10,000 families.

25 This crisis has locked up over

1 \$1 billion in dead Philadelphia capital.
2 Yes, that's billion with a capital B,
3 and that's a low estimate. We also know
4 from the recent University of Penn study
5 that if just one home gets a BSRP grant,
6 crime drops on that block by 22 percent.
7 That's a huge drop. And the biggest
8 obstacle to a BSRP grant, free money
9 from the City to fix your home is being
10 in a tangled title.

11 The Probate Deferment
12 Initiative or PDI was designed by my
13 office to assist Philadelphians who
14 found themselves as victims of a tangled
15 title, and they are victims because most
16 don't know they're in tangled titles.
17 The dead people didn't know they were
18 supposed to make wills. This is
19 something that, you know, they were
20 never taught.

21 The City never taught them.
22 The state of Pennsylvania never taught
23 them how to protect your wealth and how
24 to transfer your debt -- wealth just in
25 case you die. Too many tangled titles

1 require raising an estate for more than
2 one deceased person. With PDI, my
3 office will defer the probate fees. No
4 probate fee will be collected unless the
5 property is sold.

6 If the relative decides to
7 remain in the property, my office will
8 not seek the probate fee or apply any
9 interest. At our request, Commissioner
10 of Deed James Leonard generously agreed
11 to waive the deed filing fee for any PDI
12 recipient. In addition to waiving and
13 deferring fees, we also connect families
14 with the necessary legal assistance.

15 You cannot untangle a title
16 without an attorney assistance. It's
17 too technical. They don't know that.
18 They don't even know what a tangled
19 title is. They don't know how to raise
20 an estate, get letters of
21 administration. They don't even know,
22 you know, they thought Grandmother left
23 me this house, this my father's house,
24 this my mother's house, they said this
25 is my family's house, this is heir

1 property which is no such thing. And
2 then now they're hit with their roof
3 collapse or they go to one of your
4 outreach seminars.

5 You disseminate information to
6 them about all these grants. We just
7 had Hurricane Ella or Edna. It's
8 money -- I just got a call from one of
9 our judges. The deadline is coming up
10 for people to be able to get the free
11 federal legal assistance to repair
12 houses. They're not eligible for it
13 because the house is not in their name.
14 We are in a pandemic here in the City of
15 Philadelphia.

16 After a recent meeting, we
17 discovered that the need is so great
18 that the nonprofit legal organizations
19 are unable to meet the demand alone. In
20 the six months PDI has been active, my
21 office alone has resolved seven tangled
22 titles, despite having no additional
23 funding or dedicated staff.

24 CLS reported that it was able
25 to raise only 23 estates from 2019 to

1 present. We are aware that they have
2 other client issues to focus on as well,
3 but it is obvious that the Register of
4 Wills Office and the nonprofit legal
5 community are both needed if we are
6 going to make an impact. This joint
7 effort will require the Register of
8 Wills to receive adequate funding to
9 make this happen. We also need
10 dedicated administrative staff,
11 including an additional attorney and
12 office equipment to sustain our efforts.

13 I previously forwarded a
14 preliminary budget to Councilwoman
15 Gilmore Richardson. I feel confident we
16 can do so much more with appropriate
17 funding. Thank you for your efforts in
18 addressing tangled titles. I am always
19 prepared to be an ally in combating the
20 tangled title crisis here in
21 Philadelphia. I want people to stay in
22 their homes.

23 And in closing, I would like to
24 publicly thank Councilman Curtis Jones
25 for being a mentor to me and encouraging

1 me and speaking highly of what I'm able
2 to do over at the Register of Wills. I
3 would like to thank Kathy Gilmore
4 Richardson who went above and beyond and
5 just say, okay, I got out of my tangled
6 title, I'm not worried about everybody
7 else, and she took this as a passion.

8 I thank Councilwoman Jamie
9 Gauthier for being a fearless fighter
10 for homelessness. I think we can make
11 history here by helping people get out
12 of these tangled titles. It's really
13 bigger than a hearing. We may have to
14 get assistance from the state, which I
15 always proudly say we send between \$80
16 million to \$100 million in estate and
17 inheritance tax to Harrisburg every
18 single year.

19 We may even be able to get some
20 federal assistance from the Fair Housing
21 Act. I was doing some research on that
22 to see -- we have to help these
23 families. It's not just one home. This
24 is family generational wealth that we
25 had, we bought, but we did not know and

1 understand, you know. We did not
2 understand the dynamics of the
3 educational part. And that's what my
4 office is going through with all of your
5 help disseminating information.

6 I make sure I train all your
7 staff, all the state staff. My staff
8 continuously get training. We have
9 remained open throughout the pandemic.
10 We are in Room 180 of City Hall. We are
11 open by appointment only. We can be
12 reached at 215-686-6250. I heard
13 somebody had a question. If we don't
14 get to the question, you can also email
15 me at rowonline@phila.gov, and we will
16 answer any question that we can or we
17 will refer you to these legal agencies
18 that we have been partnering with to
19 assist you all to save your homes.
20 Thank you all and have a nice day.

21 COUNCILWOMAN GAUTHIER: Thank
22 you so much. Thank you so much, Madam
23 Register, for your testimony but also
24 for the way that you have dived right
25 into this issue and took it upon

1 yourself to get out into the community,
2 spread the word about the importance of
3 tangled titles and how people can get
4 help.

5 Your advocacy, your passion
6 around this and the Probate Deferment
7 Initiative has led to residents
8 receiving a lot of assistance to
9 untangle --

10 REGISTER GORDON: Seven, seven
11 families --

12 COUNCILWOMAN GAUTHIER: It's
13 amazing --

14 REGISTER GORDON: -- in six
15 months.

16 COUNCILWOMAN GAUTHIER: Yeah,
17 and also, beyond the seven families that
18 you helped directly, you've done a lot
19 to elevate this issue among us as
20 policymakers, which I think will lead to
21 even more progress on the issue in the
22 long run. And so, we really, really
23 appreciate your tireless advocacy and
24 your work.

25 I have a question for you.

1 Building off of what one of our previous
2 panelists, Ms. Mahan, said in her
3 testimony and thinking about the
4 outreach that you've done in the
5 community, do you have suggestions for
6 how the City and its partners can more
7 systematically get the word out to
8 affected homeowners about tangled
9 titles?

10 REGISTER GORDON: This hearing
11 is one definitely. We're talking about
12 it. And that's the most important
13 thing, that we are all talking about it
14 collectively. We're going to bring the
15 state on. We're going to bring the
16 federal on, the legal agencies. We have
17 enough brain power to put together and
18 have our voice heard for advocacy.

19 Another thing, it's a big thing
20 the next hearing we have where we're
21 going to make sure that the funeral
22 parlors, the funeral homes have
23 information and hopefully they can
24 incorporate on their intake form, do you
25 have a will or if you don't have a will,

1 you need to direct them to our office.
2 Once they get to our office, our staff
3 is equipped to help them.

4 So the thing is this has to be
5 a collective campaign, billboards, on
6 buses, in schools, universities. We
7 have to ask the School Board to
8 incorporate estate planning in their
9 curriculums, making it mandatory that
10 they learn and just we have to find more
11 funding.

12 Like I said, we have the 80 to
13 100 million to go to the state, so we
14 can partner with our state legislatures
15 or maybe we can find some type of
16 emergency funding so we can do a
17 moratorium. Maybe waive all the taxes
18 or whatever. If we do this here in
19 Philadelphia, if we do this -- this is
20 my prediction and it's proof on all the
21 statistics -- we will change the course
22 of history of the seventh largest city
23 in the country.

24 We have the most homeownership
25 as a large city. We certainly send a

1 lot of money to the state, so we are
2 very -- our land is wealthy. And by the
3 way, 1 billion is underestimating,
4 underestimating. Because if they're
5 going by the BRT of how much our houses
6 are worth, like for instance your
7 area -- and I know Councilman Curtis
8 Jones may be able to speak to this.
9 Your area, Councilwoman Jamie Gauthier,
10 is one of the hot areas that are tangled
11 titles.

12 If you look at how much they
13 are worth on paper, those houses are
14 worth a lot of money. Location,
15 location, location. And I don't know
16 about stopping gentrification, but we
17 can slow it down, slow it down. And
18 then we can keep people and families in
19 their houses so they can protect their
20 generational wealth.

21 And the good thing about the
22 PDI program that I'm proud of, and I'm
23 proud that the community legal agencies
24 agreed, that when we untangle their
25 title, they are going to make a will

1 because we got to stop it right there.
2 So we got to, one, stop the
3 hemorrhaging. And then, two, we got to
4 be very aggressive about educating
5 people to avoid the tangled title.

6 COUNCILWOMAN GAUTHIER: Yes,
7 thank you so much for that. And we hear
8 you loudly and clearly around this work
9 and the agencies who are carrying out
10 this work needing to be sufficiently
11 funded to carry it out.

12 I know that there are other
13 questions for Madam Register. I see
14 Councilmember Jones in the queue.

15 COUNCILMAN JONES: Thank you,
16 Madam Chair. And thank you, Member
17 Gilmore Richardson, for zeroing in on
18 this issue.

19 Madam Register, I just think
20 that you have begun the process of
21 moving the Register of Wills' mission to
22 become more aligned with communities
23 that are disenfranchised, that you're
24 taking complicated issues and taking the
25 time to translate them showing them

1 their importance.

2 I want to focus my time not so
3 much on the humanity, you got that. You
4 understand what it means to families and
5 neighborhoods and how it's detrimental
6 to the future of those families. I want
7 to talk about or ask questions about the
8 economics. You mentioned that these
9 properties were in the billions. Can
10 you repeat that number again?

11 REGISTER GORDON: There were
12 billions of dollars. I mean -- okay.
13 Say, for instance, one home is out of a
14 tangled title and they qualify for the
15 BSRP grant to help them with their
16 heaters, roofing. That's not only money
17 to help that family, but there has to be
18 people to do all the installation.
19 That's economics right there. That's
20 economics.

21 COUNCILMAN JONES: I took the
22 liberty of looking at your map you sent.
23 What is interesting, Madam Chair and
24 members of the Committee, is that this
25 map if you were to juxtapose and put

1 right over it crime and make crime maps,
2 where there is tangled titles, there
3 happens to be a correlation on high
4 crime rates.

5 If you then take that map and
6 look at sheriff sales, see where they
7 are because somebody who doesn't have
8 title may not have the interest or
9 wherewithal to want to pay the taxes on
10 it or keep up with the reverse
11 mortgages, things like that. And if you
12 look at these maps, they're very similar
13 in a lot of bad ways to problems that
14 we're facing in inner cities. So is
15 there in your mind a correlation, Madam
16 Register, to some of the bad things that
17 we also are facing in our areas?

18 REGISTER GORDON: Absolutely.
19 I can speak as a block captain. An
20 empty building which most -- a lot of
21 cases was tangled titles. People just
22 abandoned them or couldn't keep them up
23 or it was a fire. You can't get
24 homeowner's insurance, so that's a
25 liability. You're living next door to

1 somebody that's in a tangled title and
2 they're not insured.

3 And I tell you, the houses that
4 are abandoned on your block, a lot of
5 times people squat in them, they sell
6 drugs out of them. One house can
7 totally destroy a block. And I know you
8 know that. We grew up in -- we live in
9 rowhomes. And so, what I'm saying is
10 the crime in that study that the
11 University of Penn did, this is a study.
12 22 percent, that's a huge -- that's not
13 3 percent, 22 percent. If that one
14 house, that one family was able to get
15 some Basic Systems Repair grants to help
16 them fix up and maintain houses that are
17 basically 100-years plus, not to mention
18 with the climate change.

19 Look at the flood. Vine Street
20 was covered. I never thought I would
21 ever see Vine Street covered with water.
22 It's a lot of homes that was affected by
23 that last hurricane. They're not going
24 to be able to get FEMA. Now, FEMA is
25 not even insurance. Insurance, you have

1 to pay for the insurance to be able to
2 get the protection for that liability.

3 FEMA is you just have to be a
4 homeowner and the government will come
5 in and give you money to repair your
6 house. They can't qualify for FEMA.
7 They can't qualify for homeowner's
8 insurance. They can't send their
9 children to college. They can't use it
10 as leverage to improve their housing.
11 They can't get licenses, pull licenses
12 to do work on the property. You have to
13 be the homeowner of the property. The
14 properties are in dead people's names.

15 And what alarms me the most is
16 this office has been in existence since
17 the 1600s. William Penn, the Quakers,
18 the foreparents of this country, they
19 all knew how to transfer their
20 generational wealth. We still have
21 trusts thriving because they left a will
22 with details on how their property was
23 supposed to continue to exist even in
24 their death.

25 We're saying that people upon

1 purchase of a home should at least be
2 given the option. Like I was given the
3 option to get a life insurance policy
4 because my broker seen that I had four
5 children. Definitely I was going to get
6 the homeowner's insurance because the
7 bank wasn't going to risk the liability.
8 But I would like for somebody to say to
9 me as a young woman who was a college
10 graduate, educated, hey, you may want to
11 think about a will just in case.

12 And remove this superstition
13 about making wills. It's corny. It's
14 just unbelievable that it's something as
15 simple as a will is not -- I've talked
16 to rich people too that don't have
17 wills. I have talked to celebrities
18 because I always ask the question do you
19 have a will. And people will say, oh,
20 I'm going to get around to it. Get
21 around to it? You make a will when you
22 get an asset. You don't make a will
23 when you get old.

24 COUNCILMAN JONES: Just
25 finally, because I want to hear from my

1 colleagues, if you had to pick one city
2 or state that got it right that is doing
3 tangled title in a way that we should
4 emulate, what city or state would that
5 be?

6 REGISTER GORDON: I'll answer
7 it like this, we have 67 counties in the
8 state of Pennsylvania. Tangled titles
9 is unique to Philadelphia. I asked most
10 all of when I went to the Association --
11 they meet every year, beautiful Register
12 of Wills Association -- and they didn't
13 know what I was even talking about,
14 so --

15 COUNCILMAN JONES: Wow. So we
16 might be --

17 REGISTER GORDON: I'll answer
18 this too. I did visit Athens, Georgia
19 and I spoke with the Register of Wills
20 there. And she said that it's not so
21 unique there, but the University of
22 Georgia actually has a Tangled Title
23 Unit and I'm scheduled to go visit with
24 them to talk to them about it. But I'm
25 going to tell you, it's very unique to

1 Philadelphia and that's tragic because
2 this is one of the original colonies,
3 original cities.

4 The idea of making wills and
5 being able to protect your wealth was
6 already in the Constitution. It's no
7 reason why we don't know about it. We
8 have to do better with that.

9 COUNCILMAN JONES: Thank you,
10 Madam Chair.

11 COUNCILWOMAN GAUTHIER: So this
12 is not a distinction that we want as a
13 city, so that sort of drives home, all
14 the hard work that we need to do.

15 Councilmember Jones, thank you
16 for that line of questioning and for
17 making clear the high correlation
18 between this issue and violence in our
19 communities.

20 And because we're citing her
21 work a lot, I also wanted to give a
22 shout-out to Dr. Eugenia South. She has
23 done a lot of research around
24 place-based strategies like targeted
25 Basic Systems Repair, tree planting and

1 greening of vacant lots and how we can
2 see drastic improvements with respect to
3 gun violence in communities up to 22
4 percent and even more in some cases, and
5 she's a Black trauma surgeon and is also
6 a resident of the 3rd District. So I
7 wanted to make sure to give her, her
8 shout-out.

9 And I know that Councilmember
10 Gilmore Richardson has questions for
11 Madam Register, so go ahead.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Thank you. Thank you so
14 much, Madam Chair.

15 And thank you, Madam Register.
16 I just want to really thank you for all
17 of the work you have done on tangled
18 titles and deeds in Philadelphia and
19 really educating the public. I have to
20 say full disclosure, it was one of your
21 programs where I learned new information
22 that made me know and understand that
23 bringing this issue that my family was
24 facing to some type of resolution was
25 possible. So I have to say that for the

1 record, and thank you so very, very much
2 for all the education, outreach that you
3 continue to do across the City.

4 I wanted to for the record for
5 this hearing really drill down into the
6 Probate Deferment Initiative so that
7 folks really understand how the program
8 works and if they would be eligible for
9 the program. So could you detail for us
10 the Probate Deferment Initiative and how
11 the process works, meaning when someone
12 calls about PDI, then what are the next
13 steps?

14 REGISTER GORDON: Yes, yes. My
15 solicitor Sharon Wilson, she's on. Can
16 somebody release her microphone and she
17 will be able to give you a step-by-step
18 detailed process. She's been very
19 instrumental in helping us navigate this
20 Probate Deferment Initiative. She's the
21 one that made sure that we found a legal
22 agency that assisted us, which was
23 Christian Legal Clinics. And I'll let
24 her answer that question. Thank you.

25 MS. WILSON: Good morning,

1 Councilmembers. Can you hear me?

2 COUNCILWOMAN GAUTHIER: Yes.

3 Can you be sure to state your name for
4 the record and then you can proceed.

5 MS. WILSON: Sure, I'll do
6 that. My name is Sharon Wilson. As
7 mentioned, I'm a solicitor for the
8 Register of Wills, and really excited
9 about this Committee proceeding and
10 having to discuss our Probate Deferment
11 Initiative. Early in the
12 Administration, the Register knew that
13 she wanted to handle this problem, to
14 tackle this problem with tangled titles.

15 She called a meeting with
16 herself and some of the legal
17 organizations here in Philadelphia to
18 discuss, okay, what's the best way to
19 tackle this. From those meetings, she
20 determined and she listened to those
21 legal service agencies. And they said
22 that the fee that's charged at probate
23 when you have to open an estate can be a
24 deterrent.

25 Tangled titles usually can only

1 be resolved with the opening of an
2 estate because there's a deceased
3 person's name in the title. You can't
4 do anything until you have a vehicle
5 through which you can operate, and the
6 estate allows you to do that. You have
7 to open up an estate whether there's a
8 will or because you will either be
9 applying the will or you'll be applying
10 the laws of intestacy.

11 So this program will actually
12 allow the person who's applying to open
13 an estate to defer paying the probate
14 fee. The probate fee can range up or
15 down depending upon the value of the
16 property involved. And as the Register
17 mentioned even though the property may
18 look decrepit, it may have a certain
19 value that could have the fee be higher
20 than our average, which is about \$500.

21 And remember, that's \$500 per
22 estate. So if you're trying to open a
23 property which was owned by Grandmom and
24 then the only child of Grandmom passed,
25 you're now very easily facing having to

1 open several estates. And also remember
2 that probate fees are just one of the
3 fees that you have to pay. There may
4 also be back real estate taxes. There
5 may also be inheritance tax due. So in
6 able to at least allow people to move
7 forward and to get over the sort of
8 psychological and financial hurdle of
9 opening up an estate, we initiated the
10 PDI program to defer the fee.

11 The fee is deferred during the
12 time of probate. And thereafter, the
13 Register does not attempt to collect the
14 fee and applies no interest on the fee
15 while the relative remains in the home.
16 So if you just are trying to as we heard
17 testimony earlier from Michelle, you're
18 just trying to get your home titled
19 properly so you can continue to stay
20 there and take advantage of these
21 programs that are available, you'll
22 never have to pay that deferred fee.

23 When the house is sold however,
24 that's when the Register will look to
25 collect that fee for payment. As a

1 collection agent, because the Register
2 of Wills Office is a collection agent
3 for the state of Pennsylvania, it was
4 unclear as to whether or not we could
5 waive the fee. Our job is to collect
6 the monies. But this allowed us to move
7 forward without having to go through
8 that process, although we haven't given
9 up that process, but to go through what
10 would probably be a lengthy process in
11 order to get those fees cleared out.

12 We have talked to several
13 clients regarding this waiver of the fee
14 and payment only upon sale, and none of
15 the clients that we talked to thus far
16 expressed any hesitation merely because
17 the fee was there but would be reflected
18 upon some later date. So in addition to
19 allowing the waiver of the fee, we also
20 have a list of organization (inaudible)
21 untangling the title with whichever
22 court they need to in order to begin the
23 process. So it's a process that allows
24 waiver of the fee as well as begin the
25 tangled title process, the legal process

1 attending with it.

2 There's application. We
3 actually did begin focusing on
4 lower-income residents first. One,
5 because we knew that they would have the
6 least access to services and resources.
7 And two, because they would
8 automatically qualify for the legal
9 service organizations by virtue of their
10 income. It's our hope to expand the
11 program because this isn't a problem
12 that just happens to lower-income
13 communities. Middle-income communities
14 are having some of the same problems
15 because people may not be poor, but it
16 takes a certain amount of funds to get
17 this done.

18 And the legal process, as I
19 think Garrett testified to earlier from
20 Pew, can take a substantial amount of
21 money between \$8,000 and \$10,000. So
22 that's the program we have instituted to
23 date. And as she mentioned, we've had
24 at least seven successful clients and
25 families go through it. We have others

1 in the pipeline that we're excited to
2 assist as well.

3 COUNCILWOMAN GILMORE

4 RICHARDSON: Thank you. Thank you very,
5 very much, and thank you again for your
6 work on PDI and for really detailing how
7 Philadelphians, particularly low-income
8 Philadelphians, can be involved in the
9 program. I just wanted to ask you
10 because Madam Register talked about the
11 seven tangled titles that you all were
12 able to resolve, can you share more with
13 us about that work and the process that
14 those clients went through to come to
15 resolution?

16 MS. WILSON: Sure. Usually it
17 starts with an inquiry to enroll online,
18 an email box. We have an email just for
19 PDI programming. So we run the program
20 through our legal department. Even
21 though as the Register mentioned, we
22 don't have dedicated staff or resources
23 for this, we are really stretching
24 ourselves because this is a passion that
25 she really wants to address.

1 So we run it through that legal
2 department. They begin the process with
3 an application and a referral to a legal
4 services provider. We confirm that
5 they, in fact, have that provider. They
6 then make an appointment for probate.
7 We have established a special lane for
8 PDI clients so they can get into
9 probate. Probate can be a pretty long
10 wait these days. Because COVID has had
11 such an impact on our office, there's
12 been so many additional deaths and
13 disabilities. It sent people to our
14 office in a way that we are really full
15 of just trying to handle that
16 population.

17 But again, we made the decision
18 by stretching employee resources that we
19 would create this little lane for PDI to
20 make sure that it happens. So once that
21 occurs, the probate clerk is alerted
22 that this is a PDI case so they know to
23 go through the process to put it in the
24 particular lane and then to not charge
25 the client the fee.

1 The application has an internal
2 review at that time. And if, in fact,
3 they're accepted and we haven't really
4 turned anyone away that meets our
5 process, then we institute a lien for
6 that \$500 so that it remains there, so
7 that the City can get their money
8 eventually and that the state will get
9 their money. So it's a process that
10 allows the family to go forward, but
11 ultimately doesn't deprive the City or
12 the state of any monies because absent
13 this program, they would have never seen
14 this money anyway. These people would
15 have never gone through this process.

16 We also issue a deed waiver
17 that the Department of Records has
18 agreed to accept. At the conclusion of
19 probate, a deed can be drafted giving
20 this property to the appropriate
21 relative. It can be filed at the
22 Department of Records for no fee.
23 That's not the same as saying there's no
24 transfer fee, and it usually isn't
25 between the parties, but this is a

1 filing fee. There's no filing fee. And
2 thereafter, they go through the normal
3 process.

4 At any time one of these
5 clients can come in and say to us, hey,
6 we have the money now to pay this and
7 we'll collect that fee at that time, and
8 sometimes it's because you need an
9 estate in order to access the monies, so
10 there really is a catch-22 when they
11 can't open up an estate because the
12 monies are sitting there, but they don't
13 have the authority to receive the
14 monies.

15 So once we do that, it can sort
16 of unlock that door for them. And if
17 those monies are available to them, we
18 say, you know, we nudge, we want our
19 monies, thank you, and we go forward at
20 that point. And the final stage, we at
21 least remind them to say, hey, you need
22 a will, where is your will. And they
23 talk to their legal service
24 representative to get that will done.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Okay. And just to confirm,
2 so the folks that come through PDI, when
3 they need assistance from an attorney,
4 they are transferred to one of the legal
5 aid organizations?

6 MS. WILSON: Exactly.

7 COUNCILWOMAN GILMORE

8 RICHARDSON: Okay. Thank you very, very
9 much.

10 MS. WILSON: You're welcome.

11 COUNCILWOMAN GAUTHIER: Are
12 there any more questions or comments
13 from members of the Committee for Madam
14 Register?

15 (No response.)

16 COUNCILWOMAN GAUTHIER: Okay.
17 With that, Ms. Alford, can you please
18 call the next witness to testify.

19 REGISTER GORDON: Thank you.

20 COUNCILWOMAN GAUTHIER: Thank
21 you.

22 THE CLERK: Commissioner
23 Leonard.

24 COUNCILWOMAN GAUTHIER:
25 Commissioner Leonard, good morning.

1 COMMISSIONER LEONARD: Good
2 morning.

3 COUNCILWOMAN GAUTHIER: Please
4 state your name and proceed with your
5 testimony.

6 COMMISSIONER LEONARD: Good
7 morning, Chairperson Gauthier and
8 Committee members. I am James Leonard,
9 Commissioner of the Department of
10 Records. Thank you for inviting me to
11 testify today on the impact of tangled
12 titles in Philadelphia in ways to
13 support those suffering with tangled
14 titles. I'm joined today by Frank
15 Breslin, Revenue Commissioner, Melissa
16 Long, Director of Housing and Community
17 Development and James Aros, Jr. Chief
18 Assessment Officer.

19 First, I thank Chairperson
20 Gauthier and Councilmember Gilmore
21 Richardson for the introduction of this
22 resolution and their leadership on this
23 issue. I also thank City Council for
24 recently including \$7.6 million in new
25 funding in tangled titles as part of its

1 Neighborhood Preservation Initiative.
2 Tangled title is a crisis confronting
3 thousands of Philadelphia homeowners
4 with a disparate impact on communities
5 of color.

6 Since 2003, the City has
7 supported Philadelphia VIP to help over
8 2,000 tangled title clients, most of
9 whom were persons of color. Tangled
10 title prevents one from exercising basic
11 rights of homeownership, taking out an
12 home equity loan, modifying a mortgage,
13 selling the property or qualifying for
14 many programs such as the Longtime Owner
15 Occupants Program, LOOP, the
16 Pennsylvania property tax rebate, the
17 new Restore, Renew and Repair program
18 and Basic Systems Repair program, to
19 name just a few.

20 To address this crisis, the
21 Records Department has partnered with
22 Register of Wills Tracey Gordon on her
23 Probate Deferment Initiative. The
24 Records Department as you've heard is
25 waiving recording fees for participants,

1 a savings of almost \$260 per deed. I
2 applaud Register Gordon for her
3 leadership on this issue.

4 Additionally, my colleagues at
5 the Department of Revenue and Law
6 Department are working with Council to
7 address eligibility rules for real
8 estate tax assistance programs. The
9 City also recognizes the importance of
10 the estate planning to prevent tangled
11 titles that supports Philly VIP and
12 their community partners to provide
13 educational workshops to raise awareness
14 and encourage homeowners to work with
15 VIP to make a will. But we all agree
16 that more needs to be done to address
17 this crisis.

18 Recently I began conversations
19 with other jurisdictions experiencing
20 the tangled title crisis and with the
21 national legal expert on this issue in
22 an effort to inform our collective
23 efforts in Philadelphia. It will take a
24 collaborative and innovative combination
25 of funding, both governmental and

1 philanthropic, additional legal
2 assistance, creative programming and
3 legal reforms to combat this problem at
4 scale.

5 The Administration is committed
6 to this effort. Thank you again for the
7 opportunity to speak with you today.
8 The Administration looks forward to
9 working with Council and community
10 advocates to support those burdened with
11 tangled titles. I will be pleased to
12 answer any questions.

13 COUNCILWOMAN GAUTHIER: Thank
14 you so much, Commissioner Leonard, for
15 your testimony and for your work in this
16 area. I especially like to commend your
17 office for waiving the fees associated
18 with recording a deed with the Records
19 Department.

20 In your testimony, you
21 mentioned that you've been talking to a
22 national legal expert in other
23 jurisdictions. And I wanted to know if
24 you can expound upon any early learnings
25 or ideas that these conversations have

1 generated.

2 COMMISSIONER LEONARD: Yeah.

3 We're still in the early learning stages
4 and I haven't had the opportunity to
5 speak in more detail with Register or
6 with you all, but I plan to do so in
7 more detail in the near future. But to
8 summarize, a few weeks ago we had a call
9 with a legal services organization and a
10 nonprofit in Southeastern Louisiana
11 where they experience and continue to
12 experience since Katrina and through Ida
13 the impact of tangled title in a really
14 acute manner because it's been most
15 closely felt in terms of the flooding as
16 a result of hurricanes and climate
17 change.

18 So similarly, we've learned of
19 Philadelphia folks in those communities
20 have a similar tradition or history for
21 many similar reasons as here passing
22 down property in an informal or not
23 strictly legal manner in terms of doing
24 all the required paperwork. And when
25 you have these client disasters, more

1 frequently they've been faced with like
2 I said, a very acute climate crisis
3 whereas the Register explained and other
4 Councilmembers, folks can't qualify for
5 FEMA or other available flood aid.

6 We also learned from them that
7 there's other jurisdictions that I plan
8 on talking with, and that's in Puerto
9 Rico who's also experienced tangled
10 title most acutely with respect to
11 flooding, and then areas in Florida.

12 Those are three examples we learned of.

13 In response to something Councilman
14 Jones asked about, what states are doing
15 it right, we've started to look into
16 Louisiana which has enacted changes to
17 their state law that helps ease the
18 burden of probate on folks with estates
19 or homes of a certain size and below as
20 a means of combating the problem at
21 scale.

22 The professor, I haven't
23 communicated with over email and have
24 yet to speak with him directly, but he's
25 the author -- he's from the University

1 of Texas A&M School of Law, and he's the
2 author of the National Uniform Law
3 regarding Heirs Property. And I believe
4 Register Gordon mentioned that phrase.
5 That's a phrase I've learned that's
6 common in other jurisdictions. Tangled
7 title is a phrase unique to here, I
8 think.

9 That law, uniform law, has been
10 enacted in about a dozen states, mostly
11 southern. What I've learned is that
12 this is also an issue for not just urban
13 areas but rural areas. It afflicts,
14 including we learned of Black farmers in
15 southern communities. And we learned
16 that the USDA has incorporated this
17 uniform law into its farm bill in the
18 past few years to help ease folks with
19 tangled title to qualify for farm aid.
20 So those are some of the beginning
21 conversations that we've had.

22 And as I said, I look forward
23 to talking with you and with Register
24 Gordon about what type of strategies
25 these other jurisdictions have employed

1 or are employing and how we might learn
2 from them.

3 COUNCILWOMAN GAUTHIER: Thank
4 you so much. Thank you for doing that
5 work. And I'm excited about how we
6 might employ some of those best
7 practices here. I also like to ask
8 about transfer tax exemptions. I
9 believe there's an exemption for
10 transfers between certain direct
11 relatives like grandparents, parents,
12 children and siblings.

13 Can you clarify that exemption
14 for the record and what it means for
15 someone who is entitled to receive a
16 property with a tangled title from the
17 estate of a parent or grandparent?

18 COMMISSIONER LEONARD: Yeah.
19 So thank you for that question. And
20 when you -- and Register Gordon and I
21 talked and her solicitor Sharon Wilson
22 talked very extensively about this in
23 preparation for the program to make sure
24 that that transfer tax burden, which is
25 much more significant sometimes than the

1 fees, would not be an issue here.

2 So when an estate transfers
3 property to an heir as part of this
4 probate process, that transfer is tax
5 exempt as are property transfers between
6 relatives of certain degrees. That
7 includes parents, children, grandparents
8 to grandchildren, brothers to sisters,
9 for example.

10 COUNCILWOMAN GAUTHIER: Okay.

11 Thank you so much for clarifying that.

12 I have a question for Revenue, and then
13 I'll open it up for my colleagues to ask
14 questions.

15 Do we have Commissioner Breslin
16 on the line?

17 COMMISSIONER BRESLIN: Yes, I'm
18 here.

19 COUNCILWOMAN GAUTHIER: Okay.

20 Wonderful. So my question for you is if
21 the title to the property that I live in
22 is tangled and I approach the Revenue
23 Department to enter into a payment
24 program for back taxes or if I was
25 looking to set up an installment plan

1 for my property taxes, can I enter into
2 a payment plan with Revenue and what
3 documents would I have to provide to do
4 that? And also, do I need to be working
5 with a lawyer or another type of
6 advocate to set up that type of plan?
7 And before you answer, can you state
8 your name for the record, please.

9 COMMISSIONER BRESLIN: Yes, I'm
10 Frank Breslin, Revenue Commissioner.
11 And thank you for that question or those
12 questions. I'll start kind of in
13 reverse to start it. There is no
14 representative required, so a taxpayer
15 can work on their own behalf but
16 certainly, they can have an attorney or
17 an accountant represent them or they can
18 have somebody, just another relative
19 that sometimes people will come in to
20 assist.

21 In the case of tangled title,
22 they are eligible to get into our
23 Owner-Occupied Payment Agreement, and
24 that Owner-Occupied Payment Agreement is
25 an income-based agreement. So anyone

1 can get into -- we call it an OOPA.
2 Anyone is eligible to get in, including
3 people with tangled title, and that
4 program puts them into a tier. It's one
5 of five tiers based on income.

6 Tier 4 and Tier 5 applying to
7 people with the lowest income and Tier 4
8 has payments as well as \$25 a month and
9 Tier 5 payments as low as believe it or
10 not \$0 a month, so people can stay in
11 compliance and fully protect their house
12 from foreclosure by getting into an
13 OOPA, and they can do that even if they
14 have tangled title. And that Tier 4 and
15 5 payment agreement also in completion
16 of that payment agreement, all interest
17 and penalties are waived, so that
18 happens automatically.

19 In terms of proof of tangled
20 title, basically a person has to come in
21 and show that there's lots of
22 documentation and I'll say it's all
23 available. We work very closely with
24 Council and the legal services community
25 to form the OOPA guidelines. They're

1 all in regulation form and it shows
2 extensive types of documents that can be
3 supplied to prove tangled title. And
4 that could be a copy of the will, a copy
5 of the death certificate and a birth
6 certificate showing that there's a
7 relationship. It could be showing that
8 you've been residing in the property and
9 can prove that by supplying utility
10 bills that shows you've been paying the
11 costs of maintaining the property, so
12 there's a lot of ways to do that.

13 And one thing that I'll add to
14 that process too is on the application
15 for the Owner-Occupied Payment Agreement
16 is, I believe, a check-off box where a
17 person can ask to have a housing
18 counselor assist them with the process,
19 but also realizing that right now the
20 OOPA guidelines say that the tangled
21 title has to be resolved in a time
22 frame. We have not enforced that
23 realizing that this is a significant
24 issue and it could take quite some time
25 for people to resolve that tangled

1 title. But we want them not just to get
2 into the OOPA payment agreement and
3 become compliant, certainly we want
4 that, but we want to guide them through
5 a process so that they can clear this
6 tangled title.

7 COUNCILWOMAN GAUTHIER: Thank
8 you. Thank you for that information.
9 Does your answer to that question change
10 if I'm someone that does not live in the
11 property? Like a property is intended
12 to be passed down to me and it has a
13 tangled title but I don't live in it,
14 can I still have access to those City
15 programs?

16 COMMISSIONER BRESLIN: You can
17 still get into a payment agreement. It
18 would not be an Owner-Occupied Payment
19 Agreement. And so, it's a different
20 program. It's not a program in the
21 regulation that has -- or tax regulation
22 that has all those prescribed guidelines
23 for tangled title, but a person still
24 could get into a payment agreement with
25 tangled title.

1 COUNCILWOMAN GAUTHIER: Thank
2 you so much. And I see that
3 Councilmember Gilmore Richardson has
4 questions. Councilmember.

5 COUNCILWOMAN GILMORE

6 RICHARDSON: Yes. Thank you so much,
7 Councilmember Gauthier.

8 And thank you so much,
9 Commissioner Breslin. I have questions
10 for both you and Commissioner Leonard.
11 So I'll start with Commissioner Breslin.
12 First, I just want to thank you so much
13 for always answering the phone and
14 taking the calls and for all the
15 meetings that we've had with your office
16 and with my team and the multiple
17 conversations we've had over the last
18 several weeks. I just wanted to start
19 by saying thank you.

20 I wanted to quickly ask you a
21 question about equitable ownership and
22 how you talked about it with
23 Councilmember Gauthier, how we could
24 potentially expand some tax relief
25 programs to Philadelphians with tangled

1 titles and we know about the regulations
2 you all had with OOPA, and we've talked
3 about this in our meetings. But if
4 individuals can prove equitable
5 ownership, particularly those that may
6 have been involved with the tangled
7 title or deed for 10-plus years, is
8 there any way for us to expand programs
9 like LOOP to ensure that more
10 Philadelphians are eligible for some of
11 the revenue-based programs that we have
12 available, particularly for those
13 suffering with tangled titles and deeds
14 knowing that it's a very expensive
15 process and they have to pay other fees
16 as well?

17 And I know we've had this
18 conversation and we're working towards
19 it and we're committing to having
20 additional meetings, but I just wanted
21 to ensure that individuals understand
22 that we are looking at ways to modify
23 our tax relief programs, if possible, to
24 help more individuals, particularly
25 those who are in tangled titles and

1 deeds.

2 COMMISSIONER BRESLIN: Yes.

3 Thank you for acknowledging those
4 meetings and thank you for your
5 partnership in those meetings and with
6 you and your staff. A result of those
7 meetings since my team has been working
8 on draft regulations similar to those
9 for OOPA so that we could expand that to
10 LOOP and you should be seeing those
11 shortly because I saw them this week,
12 they're still being reviewed. So I
13 think that's a great step forward.

14 Also, I think the conversations
15 that we've had and we've had several
16 conversations on the record and meetings
17 where we've talked about the outreach
18 work that the Revenue Department does,
19 and most of that is geared towards our
20 tax programs and compliance, but has not
21 been a real focus maybe on tangled
22 title, but we always have that
23 information there.

24 So now what we're going to try
25 to do is take back this information that

1 has come out of our conversations and
2 out of the study and everything that's
3 been learned, our conversations with
4 Commissioner Leonard, and we're going to
5 try to incorporate that formally into
6 all of our outreach. Revenue has a
7 pretty robust communications team so
8 we're going to try to make that part of
9 our inperson outreach at events that
10 generally we partnered with Council to
11 do those in person and that's starting
12 again now as we get into more of a
13 post-COVID environment.

14 And also, we're going to add
15 information into our delinquency notices
16 and other notices that we put out
17 guiding people of what resources are
18 available for tangled title.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: Well, thank you very, very
21 much, Commissioner Breslin. I'm so
22 encouraged by the news about the
23 regulations, particularly around LOOP
24 because I know we had extended
25 conversations there.

1 And I wanted to quickly give a
2 shout-out, and I do this every meeting
3 that we have but I have to do it on the
4 record for the hearing, to Vicki from
5 your department who is with us day in
6 and day out in the community. She was
7 with us for the fair we had in Council
8 President Clarke's District on York
9 Street. She's been with us with all the
10 faith-based community organizations that
11 we work with every Sunday before the
12 pandemic. Even throughout the pandemic,
13 she's been on all of our virtual events.
14 So I want to give a special shout-out to
15 Vicki from Revenue for being there and
16 educating our constituents about the
17 programs available. And I look forward
18 to continuing to work with you,
19 Commissioner Breslin, on those relief
20 programs for individuals suffering with
21 tangled titles and deeds.

22 Madam Chair, I have a question
23 for Commissioner Leonard.

24 COUNCILWOMAN GAUTHIER: Go
25 ahead.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Commissioner Leonard, again
3 thank you for your work, for your
4 partnership, for your collaboration, for
5 everything you have done to really move
6 the needle on this issue. I wanted to
7 quickly circle back to an issue that I
8 know we've had robust conversation
9 around some of the challenges our
10 departments face relative to our systems
11 talking to each other so that we have
12 the most up-to-date, accurate
13 information.

14 And for me, it's particularly
15 the interface with the Records
16 Department and PhilaDox and then OPA and
17 the information we see on the web,
18 because that helps us to understand sort
19 of where a property is in process. So
20 at any rate, I wanted to just offer the
21 opportunity for you to speak to how we
22 are going to continue to work through
23 some of those IT challenges so that we
24 have some of the most up-to-date
25 information available for constituents

1 and for the legal aid organizations,
2 right, that need to utilize these
3 systems to do research for constituents
4 that have tangled titles and deeds.

5 COMMISSIONER LEONARD: Thank
6 you for that question, Councilmember.
7 The source for property ownership data
8 is the Records Department because
9 ultimately that all derives from a deed
10 that's recorded in our office. And then
11 that data on an ongoing basis is shared
12 out through a variety of means to OPA
13 and then downstream into the Department
14 of Revenue.

15 There has been -- some of these
16 systems are legacy systems and they pose
17 technical challenges that have resulted
18 in discrepancies and property data,
19 which I'm sure many of you and your
20 staff have experienced on behalf of your
21 constituents, and folks at this table
22 have collectively spoken to several of
23 you on Council about the issue.

24 There's an ongoing effort as
25 we've mentioned to some of you among

1 Revenue, OPA, OIT and others, other
2 related departments that share property
3 data to clean up essentially the
4 discrepancies that are legacy
5 discrepancies among our systems and also
6 an effort to put in place a fix,
7 technological fix, going forward that
8 will mitigate the likelihood that those
9 type of data discrepancies occur among
10 departments.

11 I know we have, Councilmember,
12 in an upcoming meeting scheduled with
13 you, to myself and Mark Wheeler to brief
14 you on that matter, so that's the big
15 picture in terms of what we're doing in
16 trying to fix the issue.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: No, I want to thank you so
19 much for your work and also for your
20 department's work through the pandemic,
21 right. I still use PhilaDox even when
22 I'm not on my City computer for
23 constituent cases, and you all are
24 really working hard to get the cases
25 processed as soon as possible. I think

1 I went on yesterday and you all are up
2 to August 5th, I believe. So I just
3 wanted to thank you very, very much
4 because I know it's just extraordinary
5 circumstances because of COVID, but you
6 all are doing a wonderful job. So thank
7 you very, very much, Commissioner.

8 And, Madam Chair, if it's
9 possible, I do have a question for DHCD
10 and the Planning Department and also for
11 the Office of Property Assessment.

12 COUNCILWOMAN GAUTHIER: That's
13 fine.

14 COUNCILWOMAN GILMORE

15 RICHARDSON: Okay. Thank you very, very
16 much, Madam Chair.

17 So, Melissa, I see you there.
18 Thank you so much for all of your work
19 in working with us on this matter. We
20 have been talking for months now. Even
21 back to the budget hearing earlier this
22 year and we worked through some
23 challenges with the Tangled Title Fund
24 Committee that you all have addressed
25 and I thank you for doing that and

1 increasing the diversity on the
2 Committee.

3 But I wanted to get on the
4 record if you could just detail the
5 breakdown of spending on tangled titles
6 and deeds over the last few years, if
7 you can break it down for the Tangled
8 Title Fund commitment and sort of where
9 it's coming from and detail the Housing
10 Trust Fund dollars as well. I just want
11 the Committee members and general public
12 to have an idea of how significant the
13 NPI infusion will be to the work that we
14 do on tangled titles in the City.

15 MS. LONG: Yes. And I would
16 like to introduce myself. I'm Melissa
17 Long, Director of DHCD. And again, I
18 want to thank both you and Chairperson
19 Gauthier for all your work and
20 commitment to this very serious issue,
21 and I really appreciate you bringing all
22 the partners together and I'm looking
23 forward to continuing that work and
24 working on the exciting work that
25 Commissioner Leonard discussed and some

1 of the outreach strategies that I know
2 we discussed at our last meeting, so
3 there's a lot of great work to be done
4 and I appreciate both of your levels of
5 commitment and look forward to that.

6 Yes, so I can -- if you give me
7 one second. I'm going to pull this up.
8 Our office does provide over the last
9 three years a commitment of
10 approximately \$500,000 to VIP. That's
11 broken out 100,000 in CDBG for legal
12 counseling, City Gen of 62.5 and 100 of
13 HTF for the Tangled Title Fund. And
14 we're so grateful for the Housing Trust
15 Fund new, VIP receives a commitment of
16 support of 290,000.

17 We're also able to support -- I
18 have my colleague here Michael
19 Froehlich. I see him up on my screen --
20 125,000 to intake and legal advice to
21 CLS, and then an additional 85,000 to
22 PLA. So that is for Tangled Title Fund
23 work for households that already have
24 tangled titles. I want to point out too
25 like Madam Register mentioned on the

1 importance of having a will and the
2 partners that have been working over the
3 last year to incorporate that, I think
4 we'll hear that in testimony from VIP,
5 those efforts, and we really look
6 forward to increasing that and
7 increasing the awareness.

8 COUNCILWOMAN GILMORE

9 RICHARDSON: No, thank you very, very
10 much. And if you could just talk about
11 BSRP as well and how that program is not
12 available for Philadelphians with
13 tangled titles and deeds and if there
14 are any updates, if we were able to
15 change some of those barriers in the
16 program.

17 MS. LONG: I think we continue
18 to work with my colleague Dave Thomas
19 over at PHDC and partners. And I think
20 we're committed to continuing to work on
21 again raising awareness and coming up
22 with some new procedures on how to
23 address that, so we'll continue that
24 work.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Okay. Great. And my last
2 question is for Philadelphians who may
3 not qualify for legal aid services but
4 still can't afford the legal fees. What
5 are we doing for those folks that are
6 sort of in the middle who still need
7 legal aid representation and help?

8 MS. LONG: I think this is the
9 potential for this new funding that may
10 not have the income restrictions and we
11 can again continue to work with partners
12 to come up with ways on how to address
13 and meet their needs. So again, I think
14 a lot of work we're excited about,
15 continuing the conversation and
16 commitment because we recognize that
17 that too is an issue.

18 COUNCILWOMAN GILMORE

19 RICHARDSON: Okay. Excellent. Because
20 I've heard from several families that
21 say, we're just a little over the income
22 eligibility for legal aid assistance but
23 we still can't afford the \$10,000 for
24 the lawyer fees, so what are we doing to
25 sort of help those folks along? Because

1 I look at this issue also as a
2 homeownership preservation issue, right,
3 as a homelessness prevention issue, a
4 generational legacy and wealth issue, so
5 how are we helping folks stay in their
6 homes, and this is another program to do
7 that. So thank you very, very much.

8 MS. LONG: Okay. Thank you.

9 COUNCILWOMAN GILMORE

10 RICHARDSON: Is Chief Assessor Aros
11 available?

12 MR. AROS: Good morning,
13 Councilmember Gilmore Richardson,
14 Councilmember Gauthier and fellow
15 members of the Committee. For the
16 record of I'm James Aros, Chief
17 Assessment Officer for the Office of
18 Property Assessment.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: Excellent. Well, thank you
21 very much for being here and for your
22 work and always for your availability.
23 I know we had a meeting as well like my
24 office did with Commissioner Leonard and
25 also with Commissioner Breslin. So I

1 just wanted to get on the record today
2 for the hearing on this issue around the
3 conversation that we've had about the
4 technology systems in the City and some
5 of the challenges that we face around
6 getting our records updated on our
7 publicly available websites, but even in
8 PhilaDox because folks can still do a
9 public search on PhilaDox.

10 So if you can just detail for
11 us some of the challenges for the record
12 today and how you all are working to
13 remedy those issues.

14 MR. AROS: Sure. So I think as
15 most Councilmembers are aware, we began
16 our transition to our new Computer
17 Assisted Mass Appraisal system,
18 abbreviated we call it CAMA, that began
19 in February of last year when certain
20 parts of the system went live, and it's
21 continued since then.

22 Currently OPA, all previous
23 functionality and job roles that the OPA
24 did prior to CAMA are fully functional
25 in the CAMA system. The CAMA system is

1 our system of record. And for the
2 website in particular, that means that
3 the values that are on the website the
4 property.phila.gov, and the -- so let me
5 back up. So the market values that are
6 seen there, the assessment breakouts and
7 the ownership are being pulled from the
8 CAMA system as that is the system of
9 record.

10 So as we began that
11 integration, we got a transition from
12 some of the legacy systems that
13 Commissioner Leonard spoke about. So in
14 phases, we moved into taking the records
15 from the CAMA system and uploading them
16 to the public website, so ownership was
17 not the first piece of information that
18 began updating on the site. The first
19 piece was the market values that began
20 in February, but for several months now
21 the ownership has been getting pulled
22 from the CAMA system, so that feeds
23 directly to the property website.

24 And so, throughout the process
25 we worked in conjunction with OIT and

1 records to make sure that we were able
2 to pull in the deed changes and work out
3 any bugs or glitches with some of the
4 transitions, so we feel like those
5 pretty much have been ironed out. So I
6 don't have the exact date of the last
7 pull that we got from Revenue, but it is
8 fairly close to the date that you
9 mentioned as far as where records have
10 proofed information from.

11 And as they proof records going
12 forward and upload them and that
13 information into PhilaDox, we'll be
14 receiving regular feeds from there and
15 that will automatically update ownership
16 in the OPA records, which will then feed
17 the ownership that is displayed on the
18 public property website.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: I thank you for that work.
21 And the reason why I was asking -- and
22 I'm actually going onto the site now --
23 does your department information with
24 this new CAMA system talk to either
25 Atlas or the new eCLIPSE system in any

1 way? Because I know if you do an L&I
2 property history lookup, typically some
3 of that information that's on PhilaDox
4 will show up under the property history,
5 under L&I's publicly available search
6 feature as well. So which computer
7 system does your department speak with
8 relative to other City departments?

9 MR. AROS: Sure. So our system
10 speaks to, I believe, all of the
11 departments you've mentioned. So we do
12 an update and that goes to -- I'm not a
13 title expert but I'll do my best for the
14 moment -- so the City's AIS system, I
15 believe it's called, which feeds
16 different departments.

17 I would not speak for every
18 department as to where any ownership
19 official record that they may display or
20 see, if that's always pulled from the
21 OPA. But once it's updated in our
22 system, it does push out to that city-
23 wide system and it's available on the
24 City's data bridge for departments that
25 are looking to pull that information

1 from the OPA records.

2 COUNCILWOMAN GILMORE

3 RICHARDSON: Got it. Okay. I just
4 wanted to get clarity there because I
5 was looking at some of these sites
6 yesterday, so thank you very, very much.

7 MR. AROS: Thank you.

8 COUNCILWOMAN GAUTHIER: Thank
9 you, Councilmember.

10 So if there are no more
11 questions from members of the Committee
12 for this panel, Ms. Alford, can you
13 please call the next panel to testify.

14 THE CLERK: Rida Haq, Kelly
15 Gastley, Gabrielle Morrison, Michael
16 Froehlich, Joanne Werdel, Dana Goldberg
17 and Heather Hult.

18 COUNCILWOMAN GAUTHIER: Okay.
19 Wonderful. Ms. Rida Haq, are you there
20 and connected?

21 MS. HAQ: I am indeed. Can
22 everyone hear me?

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

1 MS. HAQ: I'm Rida Haq,
2 Executive Director of Philadelphia VIP.
3 Thank you, Madam Chair and
4 Councilmembers, for inviting us to share
5 our roles in the bigger picture of
6 tangled title legal work here today.
7 More importantly, in addition to my
8 Executive Director role, I do want to
9 say that I'm formerly a case manager who
10 helped many tangled title clients
11 navigate their legal issues at VIP.

12 So VIP is a 40-year-old
13 nonprofit founded by the Philadelphia
14 Bar Association, and we have a very
15 unique mission, recruiting and training
16 private lawyers who volunteer to
17 represent our clients for free. We do
18 this in collaboration with direct legal
19 aid like Community Legal Services and
20 Philadelphia Legal Assistance to kind of
21 bridge that gap in availability of civil
22 legal services.

23 So in pursuing this mission,
24 and thanks to its unique model of
25 leveraging the capacity of the private

1 bar, VIP also connects the
2 well-resourced law firm in corporate
3 communities with the low-income people
4 who make up over half of Philadelphia's
5 population.

6 Since 2003 with critical
7 support from DHCD, then OHCD, VIP has
8 actually partnered with private
9 attorneys to work on untangling titles
10 on behalf of over 3,000 low-income
11 Philadelphians at risk of losing their
12 homes. We're so grateful to DHCD for
13 its longstanding commitment to
14 addressing this issue and we're really
15 excited to see the City building out its
16 pool of resources for addressing tangled
17 titles.

18 So 18 years ago, I dug out some
19 old City Council testimony for 2003 just
20 to check. These resources helped just a
21 handful of Philadelphians. But by 2021
22 thanks to this commitment, we've been
23 helping hundreds every year. And I'm
24 confident that we will collectively
25 expand our reach to thousands in years

1 to come and cement ourselves as a
2 national leader on tangled titles.

3 I'm glad Madam Register
4 actually briefly touched on this being a
5 Philadelphia issue, and it is certainly
6 true that Philadelphia raised the
7 concept of the tangled title and has
8 identified this large of volume. But,
9 Councilmember Jones, to your point and
10 as Commissioner Leonard briefly
11 demonstrated, I believe Philadelphia is
12 not unique in having this issue and nor
13 should we be ashamed of this problem.

14 We should be proud that we have
15 researched it, we've acknowledged it and
16 we are invested in resolving it.

17 Over the past couple of years,
18 cities like Houston, Waco, Texas and
19 Pittsburgh have reached out to VIP and
20 its peer organizations to learn how
21 Philadelphia is addressing this issue,
22 and we're thrilled that they can learn
23 from our experiences to launch their
24 programs more efficiently.

25 A perfect example of the

1 learning we can share includes a
2 shout-out to the Department of Revenue
3 because we've told these other community
4 leaders that our programs would not be
5 possible without the extensive
6 collaboration that goes into creating
7 amazing resources like OOPA.

8 I will pause there, I will stop
9 there and let you all ask me questions
10 about these other communities across the
11 country. But what I'm here to talk
12 about today as others will discuss in
13 more detail, there is no typical tangled
14 title case. No matter the different
15 path the tangled title can take, one
16 thing is certain. The vast majority are
17 identified years after they occurred and
18 none of them can be navigated without
19 financial resources. Concurrently, the
20 housing crisis continues to worsen and
21 there's growing demand for legal
22 assistance with tangled title often at a
23 crisis point when home loss is imminent.

24 It became apparent that
25 proactive action is just as important as

1 the reactive resources. So as a
2 response in 2019 with increased support
3 from DHCD, VIP designed a pilot
4 preventative estate planning program.

5 We call this our Preserving
6 Homeownership and Family Wealth
7 initiative, and it now supports
8 homeownership via its tangled title
9 component and family wealth retention
10 through estate planning.

11 Having a will in place is one
12 of the most effective ways a homeowner
13 can prevent a tangled title from
14 arising. Doing so spares family members
15 the complications and the hassles of
16 trying to unwind a tangled title, which
17 can take over a year to resolve with an
18 attorney on average. Meanwhile an
19 average estate planning matter takes an
20 attorney and a volunteer attorney just a
21 few hours to complete.

22 The tricky piece here is
23 sharing the importance of estate
24 planning because we've often found that
25 our average clients will say, what do I

1 need a will for, I'm not rich, right.
2 So through our pilot effort, VIP
3 designed a scalable estate planning
4 outreach program that includes evidence-
5 based outreach components and remains
6 community-partnership focused.

7 First, we partnered with the
8 Philadelphia Behavior of Sciences
9 initiative to design a randomized
10 control trial to test the effectiveness
11 of different types of outreach to raise
12 awareness of the importance of estate
13 planning. We're now wrapping up the
14 initial phase which actually tests the
15 success of a letter versus a flyer and
16 whether a stamped addressed envelope
17 produces increased response rates.

18 Second, we know from VIP small
19 business outreach that client engagement
20 is most effective when performed in
21 collaboration with groups that have
22 already earned community trust. For
23 this reason, we have deliberately
24 partnered with specific community
25 organizations like CDCs, NACs, religious

1 institutions and the City Council
2 Office. These organizations co-present
3 VIP's estate planning services to their
4 constituents and/or refer local
5 homeowners to VIP for estate planning.

6 Finally, with over 10,000
7 attorneys practicing in the Philadelphia
8 area, there's ample opportunity to
9 deploy lawyers in a volunteer capacity
10 to address this legal need. VIP uses a
11 different number for approaches to
12 inspire attorneys to engage with the
13 larger community, and we've seen great
14 success in drafting these documents for
15 hundreds of clients over just a few
16 years.

17 With sufficient resources, we
18 hope to be able to use what we have
19 learned to scale this service and help
20 more families across Philadelphia.
21 We're so grateful to DHCD, City Council,
22 the Register of Wills, the Commissioner
23 of Records and everybody else on this
24 call for leading this renewed commitment
25 to making a meaningful difference in the

1 tangled title crisis. The legal
2 improvements that are going to follow
3 will allow many Philadelphians who
4 honestly stand alone in a very complex
5 legal system to get the help they need
6 and hopefully prevent future tangled
7 titles from arising.

8 COUNCILWOMAN GAUTHIER: Thank
9 you so much, and we're going to let all
10 the panelists testify before we open it
11 up for questions.

12 So, Ms. Kelly Gastley, can you
13 please state your name for the record
14 and proceed with your testimony.

15 MS. GASTLEY: Sure. Good
16 morning. I'm Kelly Gastley, the
17 Managing Attorney of Philadelphia VIP.
18 Can you hear me okay?

19 COUNCILWOMAN GAUTHIER: Yes, we
20 can.

21 MS. GASTLEY: Okay. Thank you
22 to Chair Gauthier Councilmember,
23 Councilmember Gilmore Richardson and all
24 of the Committee members here today to
25 talk about this important issue. And I

1 echo the thanks to DHCD for its
2 longstanding support and commitment to
3 this issue. There are a few different
4 types of tangled title issues which I
5 just wanted to stress. And you heard
6 Sharon Wilson so aptly describe earlier,
7 the probate matters that is really the
8 most common issue that we see come up
9 with tangled title cases where we're
10 dealing with a home titled in the name
11 of a deceased family member.

12 There are a few other types
13 that I just want to make sure we touch
14 on because as Garrett mentioned as well
15 in his testimony about the Pew reports,
16 it did not capture all of the tangled
17 titles out there. So one of those other
18 types of tangled title issues are
19 matters that are resolved through a
20 client title action. So these might be
21 a title case where the client is the
22 buyer in a rent-to-own agreement and
23 still does not have title to the home in
24 their name or it might be where our
25 client who come into us for help is the

1 victim of a forged deed or a fraudulent
2 conveyance where they were defrauded
3 into taking title out of their names or
4 it might be someone who has an adverse
5 possession claim to their property,
6 which I know so many of us here have
7 heard about and there's a lot of talk
8 about it in the community adverse
9 possession, but you can make a proper
10 claim to title if you've been there for
11 a long period of time and have been
12 acting like the owner of the property.

13 In all of these matters, you
14 file an action in the Court of Common
15 Pleas, which is our trial level court
16 here in Philadelphia and go through a
17 process of providing notice to the
18 opposing party, and then the case
19 unfolds from there depending on whether
20 the opposing party responds. There are
21 simpler title issues that we call deed
22 transfers at VIP, which are those more
23 straightforward title cases where the
24 owner of the property is around and
25 willing and able to transfer a title

1 over to our client. And these matters,
2 they're much more straightforward. It's
3 great if we can get people in the door
4 when their case is this simple.

5 A common example is something
6 like a godmother who is the owner of a
7 house and has moved, wants to give the
8 property to her goddaughter who's been
9 living there, taking care of it, paying
10 the taxes, and they just need help
11 drawing up a proper deed, getting the
12 transfer tax paid and getting the deed
13 recorded. That's something that is far
14 easier to take care of while we've got
15 everyone around rather than once the
16 godmother really kind of falls out of
17 touch or passes away herself. So those
18 are the issues that VIP our volunteer
19 attorney spends a lot of their time on,
20 all three of those types.

21 All of them disproportionately
22 affect Black and Brown Philadelphians,
23 like we've already heard a lot about
24 today. We know that we actually have a
25 really high homeownership rate for

1 Blacks here in Philadelphia which is
2 really encouraging, but we also know
3 that unfortunately a minority of them do
4 not have wills as Madam Register already
5 discussed. So we have that racial lens
6 and that backdrop for this issue because
7 it's not just a homeownership issue.
8 It's really a race issue as well.

9 The way that VIP approaches
10 this tangled title problem and this
11 racial problem that we have here in
12 Philadelphia is through three ways: One
13 is trying to prevent tangled titles from
14 beginning in the first place through
15 estate planning, which Madam Register
16 and my colleague Rida already touched
17 on.

18 The second way is through
19 education and awareness of what a
20 tangled title issue is and how important
21 it is to resolve right away. As I said
22 recently in the presentation that Pew
23 did on their report, time is really not
24 our friend in these matters. We need to
25 really get folks to come into us early

1 as soon as their family member who own
2 the homes passed away, as soon as
3 they've entered -- maybe before they've
4 entered into that rent-to-own agreement,
5 whatever the case may be, getting into
6 us and saying, hey, this is the
7 situation I'm in, what can I do now to
8 make sure it doesn't become a problem,
9 and getting legal counsel right away
10 means that we can turn what could have
11 been a complicated tangled title problem
12 if it wasn't addressed for years into
13 something much simpler that we can
14 address now.

15 The third way that we have to
16 solve our tangled title problem here in
17 the City is just making sure we're
18 resolving the tangled title issue that
19 already exists. It requires consistent
20 persistence and thorough legal work by
21 legal professionals. At VIP, we match
22 over 100 new tangled title clients with
23 volunteers every year.

24 Before we send a client out to
25 a volunteer, we work with that client to

1 figure out who's in their family tree,
2 who has a legal interest in the home to
3 reach out to those family members and to
4 really get the case started and make
5 sure that we have a path to getting the
6 client title. And then once we match a
7 client with a volunteer attorney, we
8 stay involved with the case, we provide
9 our volunteers with support, we build up
10 substantial training materials and
11 templates for our volunteers over the
12 years because we don't want them
13 reinventing the wheel. We want them
14 focusing on helping their client.
15 Because as Rida said, no tangled title
16 case is the same as the one that came
17 before it.

18 So we want our volunteer
19 attorneys spending time and working
20 through their unique client's tangled
21 title situation and leaning on us as
22 they need to, to help that client get
23 title. All of this work really relies
24 on money as well, which we've talked a
25 lot about today. There are costs

1 involved resolving these title issues,
2 so we're really grateful that we have
3 the Tangled Title Fund in existence for
4 over 20 years now actually, which pays
5 for administrative costs associated with
6 clearing title to homes, so things like
7 the transfer taxes that were discussed
8 earlier.

9 So these are -- this is really
10 how VIP has approached resolving tangled
11 title issues over the years, and I'm
12 really grateful to have one of our
13 volunteers Gabby Morrison who is here
14 today to talk more about what it's like
15 to be a volunteer attorney working on
16 these matters. And I just want to
17 conclude -- because Gabby will cover it
18 far better than I can -- that we at VIP
19 really believe that addressing tangled
20 title can have a really widespread
21 impact on our City.

22 And Register Gordon, Madam
23 Register, really touched on this as well
24 in her testimony, that we are helping
25 individuals by keeping people in their

1 homes, but we're also helping families
2 because we're helping them preserve
3 wealth within their family that can be
4 passed down from generation to
5 generation. And by doing that, we're
6 helping our community. We're providing
7 particularly our Black and Brown
8 neighbors with secure homeownership and
9 trying to advance racial equity in our
10 City as a result of this.

11 So we're excited and we're
12 energized at VIP to bring attention to
13 this issue that we've been working on
14 and really looking forward to working
15 with City Council and everyone
16 testifying today who I'm so grateful I
17 already know and work so closely with to
18 keep expanding upon this work. Thank
19 you so much for having me to testify
20 today.

21 COUNCILWOMAN GAUTHIER: Thank
22 you so much for your testimony and for
23 your work.

24 Ms. Gabrielle Morrison, please
25 state your name for the record and

1 proceed with your testimony.

2 MS. MORRISON: Good morning.

3 My name is Gabrielle Morrison. Can you
4 hear me?

5 COUNCILWOMAN GAUTHIER: (Nodded
6 affirmatively).

7 MS. MORRISON: Great. So as I
8 said, my name is Gabrielle Morrison.
9 I'm a full-time trial attorney and I'm a
10 Philly VIP volunteer. I've been with
11 Philly VIP since summer of 2018 when I
12 joined the Tangled Title Group as a
13 summer associate at my law firm.

14 Philly VIP's work, particularly
15 tangled title cases, peaks my interest
16 because the ease at which families can
17 lose their homes in Philadelphia was
18 very concerning. I can see the effect
19 of the housing crisis as I rode through
20 the trolley from Delaware County in
21 Yeadon, right next door to West Philly,
22 to Center City every day. The homes
23 were dilapidated or abandoned or
24 sometimes just simply needed some TLC.
25 But as soon as I hit a specific street,

1 the atmosphere began to change. Homes
2 looked renovated and in good condition,
3 and another trend that I observed on my
4 trolley ride is a change in demographic.

5 West and Southwest Philadelphia
6 is mostly populated with Black people,
7 including individuals from the African
8 and Caribbean Diaspora. Now, this
9 resonated with me because I'm from an
10 Afro-Caribbean Diaspora as you can hear
11 my accent, and I understand the value of
12 what a home to someone from similar
13 background means.

14 I wondered what led to these
15 causes and conditions in Philadelphia as
16 an immigrant, and my involvement with
17 Philly VIP answered my questions.
18 Philly VIP provided online resources and
19 inperson resources like manuals and
20 presentations to assist volunteers to
21 understand their role and properly
22 handle cases.

23 Philly VIP's staff is always
24 open to answering questions, especially
25 for someone like me who does strictly

1 litigation work, and provide a lot of
2 guidance when needed, so I appreciate
3 that type of assistance and support. It
4 makes it easier for attorneys like
5 myself and others who are in private
6 practice or criminal practice to
7 confidently handle the cases and never
8 hesitate when Philly VIP seek
9 volunteers, hence my continued support.

10 I continue to work with Philly
11 VIP because resolving tangled titles
12 helped to maintain the culture and roots
13 of the marginalized individuals in
14 Philadelphia communities, and a big part
15 of fostering culture and passing
16 generational wealth and knowledge is
17 dependent on a settling ground which is
18 the home. The work I do with Philly VIP
19 helps me to help people to keep their
20 homes, access resources to maintain
21 their homes and give marginalized
22 populations an opportunity to build,
23 which is an opportunity that otherwise
24 would not have happened.

25 It's very rewarding to hear the

1 happiness and sense of relief in my
2 clients' voices, especially trying to
3 navigate the convoluted systems of
4 Philadelphia. Legal homeownership
5 services like VIP and other
6 organizations are very essential.
7 Navigating the probate process is
8 difficult and often expensive for the
9 population that we serve. And so for
10 me, Philly VIP and similar organizations
11 should be a staple for this City and
12 continue to grow such organizations and
13 add more organizations so that we can
14 ensure that all Philadelphia residents
15 have an opportunity to comfortably
16 reside in the City, and I want to
17 emphasize comfortably, and build their
18 homes and enjoy the fruits of the City.
19 It's open for a lot of individuals, and
20 we want them to continue to bask in
21 where they grew up.

22 So I will continue to work with
23 Philly VIP and encourage my colleagues
24 to do so as well. And I hope the City
25 sees immense value of this organization

1 and continue to support the mission.

2 Thank you.

3 COUNCILWOMAN GAUTHIER: Thank
4 you so much for your testimony and for
5 your vital volunteer service to our
6 constituents. We really appreciate you.

7 Michael Froehlich, please state
8 your name for the record and proceed
9 with your testimony.

10 MR. FROEHLICH: Good morning,
11 everybody. Especially good morning,
12 Chair Gauthier, Councilmember Gilmore
13 Richardson and members of the Committee.
14 My name is Michael Froehlich and I'm the
15 Managing Attorney of the Homeownership
16 and Consumer Rights Unit here at CLS.
17 And I'm very pleased to talk today about
18 this topic of tangled titles, the role
19 that CLS plays in helping our clients
20 resolve their titles and how resolving a
21 title is a critical step to closing the
22 racial wealth gap in Philadelphia.

23 We've heard from so many
24 witnesses this morning discuss tangled
25 titles. I'm really grateful to be in

1 this community. I wanted to especially
2 thank Ms. Mahan for talking about her
3 personal experience at the top of the
4 hearing. I'm not sure if she's still
5 listening. I know she's at home today
6 caring for her grandchildren, but I
7 really appreciate Ms. Mahan, your
8 courage to step forward and talk about
9 your story this morning.

10 I had prepared remarks for this
11 morning, but so much of what I had
12 prepared you've already heard from other
13 witnesses and honestly better presented
14 and more succinctly presented than me,
15 so I've gone through and sort of deleted
16 large paragraphs, but I have submitted
17 written testimony as well. CLS is
18 really, really proud to partner with
19 PHCD and other City partners who
20 represent clients resolve their tangled
21 titles.

22 In the last two years that we
23 have received dedicated funding from
24 DHCD, we've represented over 200
25 homeowners with tangled titles and other

1 homeowners with issues -- I'm sorry,
2 we've represented over 200 clients
3 tangled title issues and we have
4 presented at 95 community trainings and
5 outreach programs on tangled titles and
6 other homeownership issues.

7 We've recorded 67 new deeds,
8 and this morning my CLS colleague Dot
9 Goldberger texted me that she's on her
10 way down to City Hall this morning to
11 record four more. The process of
12 resolving tangled titles ranges from the
13 simple to the excruciatingly difficult.
14 If the record owner of a home dies
15 without a will but all intestate heirs
16 are known and cooperative, we usually
17 can resolve the title within a few
18 months. But if we have trouble locating
19 heirs or the heirs are not immediately
20 helpful, the process can drag on for
21 well more than a year. And so much of
22 this work needs to be done before heirs
23 are even in a position where they can go
24 to the Register of Wills and raise their
25 estate.

1 But in addition to raising
2 estates with the Register of Wills, we
3 resolve tangled titles in all sorts of
4 other ways as Kelly Gastley mentioned.
5 We file lawsuits called quiet title
6 complaints in the Court of Common Pleas.
7 We file petitions directly with Orphans'
8 Court as an alternative to raising
9 estates. We do deeds of confirmation to
10 clean up complicated co-ownership deeds
11 that many people here refer to as South
12 Philly Trust.

13 We track down long-lost owners.
14 We negotiate resolutions to rent-to-own
15 agreements that have gone south.
16 Sometimes homeowners who have raised
17 their loved ones' estate years ago but
18 never dealt with the deed to the family
19 home come for help, so there's a lot
20 more really unusual and tricky
21 situations that we help clients with.

22 As the Pew report found, even
23 the simplest tangled title case can cost
24 over \$9,000 to resolve and most clients
25 at CLS we represent have far from simple

1 cases. And so, we are deeply
2 appreciative of the City's investment in
3 additional funding to address tangled
4 titles as part of the NPI bond, and we
5 look forward for the opportunity to
6 increase our work in this area.

7 Now, one of the most important
8 parts or pieces of our City's tangled
9 title problem -- and Kelly Gastley
10 mentioned this and others mentioned this
11 as well -- is that tangled titles do not
12 affect all areas of the City equally.
13 According to the Pew report, homes with
14 tangled titles are disproportionately
15 located in census tracts with higher
16 Black and Brown populations.

17 And at CLS, 84 percent of our
18 tangled title clients identify as Black,
19 and an additional 15 percent identify as
20 Hispanic or Latino. It's no secret we
21 have a daunting racial wealth gap in the
22 United States where the median White
23 household is reported to have 10 times
24 the wealth of the median Black household
25 and homeownership is a vital, vital part

1 of closing this racial wealth gap, and
2 tangled titles too often force this
3 growth of intergenerational wealth.

4 As others have testified,
5 resolving already tangled titles is only
6 one side of the coin and we must also be
7 proactive. Madam Register has done an
8 amazing job in getting the message out
9 to neighborhoods throughout the City
10 about home preservation, especially
11 during the COVID-19 pandemic, and she
12 does with a clear message. Everyone
13 needs to plan, prepare, protect, and
14 that means having conversations now with
15 your children and heirs about what you
16 want to have happen to your house and it
17 means having a will.

18 Commissioner Leonard mentioned
19 Dr. Thomas Mitchell. He's the Texas law
20 professor who won the MacArthur Genius
21 award last year for his work on
22 preserving Black homeownership. And in
23 his work, Dr. Mitchell discusses not
24 just a racial homeownership gap, but a
25 racial will -- or a racial estate

1 planning gap.

2 According to Dr. Mitchell, 65
3 percent of White families in America
4 have wills, but only 23 percent of
5 African-American families. And what's
6 more when you look at the college
7 educated folks, 75 percent of White
8 Americans with a college education have
9 a will and only 33 percent of African-
10 Americans with a college education have
11 a will. And I really do think that
12 working together with legal services
13 programs, City officials, the Register
14 of Wills and others can not just address
15 existing title problems from the past,
16 but can ensure that future generations
17 do not have these issues.

18 So again, thank you for the
19 opportunity to testify today. This is a
20 critical moment for tangled title issues
21 in our City. And on behalf of our
22 clients, we are so grateful to City
23 Council, DHCD, Madam Register,
24 Commissioner Leonard and other City
25 officials for really rising to meet this

1 goal.

2 COUNCILWOMAN GAUTHIER: Thank
3 you, Michael, for your work and for that
4 testimony.

5 Dana Goldberg, are you here and
6 connected?

7 MS. GOLDBERG: I am. Can you
8 hear me?

9 COUNCILWOMAN GAUTHIER: I can.
10 Can you state your name for the record
11 and please proceed with your testimony.

12 MS. GOLDBERG: Yes. Thank you,
13 Chairperson. My name is Dana Goldberg
14 and I'm the Legal Director at SeniorLAW
15 Center here in Philadelphia. I'd like
16 to say thank you to Councilperson
17 Gauthier for convening this and all of
18 the Councilmembers for this opportunity
19 to speak to you about the work of
20 SeniorLAW Center and the importance of
21 tackling what has become known as
22 tangled title in our City.

23 I have prepared written
24 testimony and like Mike, I'm going to
25 excise some of what's already been

1 testified to and I'm going to really
2 focus on our work and on our population
3 and the effect that this is having on
4 the older community here in
5 Philadelphia. SeniorLAW Center seeks
6 justice for older adults through direct
7 representation, education and advocacy.

8 We are the only nonprofit
9 organization in Pennsylvania whose
10 mission is dedicated solely to providing
11 legal services to older persons. We're
12 one of a few in the nation. We provide
13 free legal assistance to thousands of
14 seniors each year, including victims of
15 elder abuse and financial exploitation,
16 grandparents raising grandchildren and
17 older persons facing homelessness and
18 housing crises. We serve those who are
19 60 years of age and older, including
20 those who are well into their 100s.

21 The great majority of older
22 people to whom we provide direct legal
23 representation live in poverty at or
24 well below 100 percent -- 150 percent of
25 the federal poverty level. Nearly half

1 of Philadelphia older persons live at
2 less than twice the poverty level, and
3 nearly 10 percent of Philadelphia's
4 seniors live in deep poverty, which is
5 less than 50 percent of the federal
6 poverty level. Those we serve face not
7 only the challenges of poverty but also
8 those of aging, which are distinct to
9 each individual, but may include
10 isolation, depend on some others for
11 care, mobility and health challenges,
12 cognitive decline, transportation,
13 depression and access to services.

14 Housing is perhaps the most
15 critical legal issue facing older people
16 today in light of its enormous impact on
17 every other aspect of life, health,
18 safety and security. Safe habitable
19 housing is a basic human right and a
20 racial justice issue. The disparities
21 in homelessness and foreclosure of Black
22 indigenous people of color communities
23 are historic and persistent today.
24 Without a safe habitable home, there is
25 no ability to age in place, access home

1 and community-based health and support
2 services, avoid institutionalization and
3 remain in the community near relatives,
4 known neighbors, resources and comfort.

5 Philadelphia's often referred
6 to as the City of Neighborhoods. We
7 pride ourselves on the distinct
8 character of each neighborhood.

9 Philadelphians, in particular, love
10 those sections of their city where they
11 were born, raised and in many instances
12 continue to live. The impact of
13 redlining and racial prejudice, however,
14 has left particular neighborhoods
15 vulnerable. Because the individual's
16 home is the setting in which home-based
17 long-term care services are delivered,
18 characteristics of the setting may
19 affect how and what care is provided or
20 even whether it is feasible to provide
21 care at all.

22 In its 2018 Housing for Equity
23 Report, the City of Philadelphia
24 reported over 88 percent of City homes
25 were built prior to 1980. These aging

1 properties must be repaired and
2 maintained in order to keep our seniors
3 and other residents housed. From the
4 2018 Public Health Management
5 Corporation's Household Health Survey,
6 the following percentages of homes were
7 in need of plumbing, roofing, heating,
8 cooling system or some combination of
9 the three. 41 percent in the Strawberry
10 Mansion neighborhood; 42 percent in West
11 Philadelphia; 49 percent in Germantown
12 and 26 percent in the remaining parts of
13 the City.

14 As long as titles remain
15 tangled, those residents are not
16 eligible to apply for free City or other
17 repair programs desperately needed.
18 Additionally, without untangling the
19 title, these older adults cannot avail
20 themselves the needed property tax
21 assistance programs or mortgage
22 refinance programs which will help
23 ensure that they can remain in their
24 homes.

25 The COVID-19 crisis exacerbated

1 the trend of younger generations moving
2 back into the family homestead with
3 older relatives. Unemployment, the need
4 for care, the impact of isolation all
5 resulted in an increase in
6 multi-generational households. For many
7 families, the older person's home is the
8 only real estate asset in the family.
9 We have also seen a rise in older
10 generations caring for and raising
11 children and grandchildren in the family
12 due to both COVID and the continuing
13 opioid crisis as well as other family
14 trauma requiring grandparents to step in
15 to raise children for the birth parents
16 when they cannot.

17 Protection and maintenance of
18 the home becomes crucial to the lives,
19 stability and well-being of multiple
20 generations. Tangled title is
21 jeopardizing the stability of our
22 neighborhood and the stabilities of our
23 families who have inhabited these
24 neighborhoods for generations. In
25 addition, homes are often the biggest

1 financial asset older homeowners have.

2 Many older adults have worked
3 their entire lives to protect this
4 family asset. Denying them access to
5 services to continue and protect
6 ownership punishes these hard-working
7 individuals for growing older and for
8 being poor. It also blocks the ability
9 of this generation to pass on any wealth
10 to the future generation and to keep
11 that wealth in the community.

12 As Pew noted, access to legal
13 services makes an extraordinary
14 difference between losing a home or
15 clearing title and maintaining it for
16 generations to come. Access to justice
17 is essential to make real change in
18 tangled title and homelessness
19 prevention. But untangling title, as
20 all of my colleagues have pointed out,
21 takes time, effort, resources and
22 expertise. It takes access to an
23 attorney and knowledge of a complex
24 legal and judicial system.

25 Often untangling title involves

1 probating the estate of multiple
2 deceased relatives as the Register of
3 Wills pointed out. Older people who
4 attempt probate on their own often do
5 not have access to filing fee waivers
6 and financial assistance made available
7 by various City offices and
8 organizations. And we're very
9 appreciative of the Register of Wills
10 and the changes that have been made and
11 we encourage those programs or the
12 expansion of those programs.

13 However, older people who are
14 turned away either by the Register of
15 Wills or the Recorder of Deeds for
16 trying to do something on their own, not
17 doing it properly, having put forward
18 the fees or the out-of-pocket expenses
19 may lose those funds and have to start
20 over again, and they may need help in
21 terms of guidance through the process.

22 Getting clear title is a first
23 step, but it doesn't make property taxes
24 affordable as a neighborhood gentrifies.
25 It does not fix a roof or furnace and it

1 does not turn the water back on. We
2 worked to ensure that our clients get
3 connected with the various programs and
4 agencies that will ensure continued
5 homeownership. We run legal life
6 planning clinics and we have for many,
7 many years, including throughout COVID,
8 to draft and execute essential planning
9 documents, including simple wills to
10 empower older persons to direct to whom
11 their property will go after their
12 death.

13 Life planning documents are an
14 essential part of the tangled title
15 solution. We serve hundreds of older
16 people with these services every year as
17 part of our many programs, but we have a
18 long queue well into 2022 as demand also
19 far outstrips our capacity. And we are
20 one of the few who provides these
21 services.

22 The solutions to tangled title
23 require these multiple steps. With
24 clear title now and faith that their
25 heirs will enjoy the same clear title,

1 older persons are free to invest in and
2 maintain their homes and age in place.
3 Philadelphia continues to have one of
4 the largest and poorest populations of
5 older people in the nation. They have
6 helped to build and grow our City and
7 neighborhoods, raise their families.
8 They are the matriarchs and patriarchs
9 of our community in each of your Council
10 Districts. They deserve our attention
11 and investment at this often vulnerable
12 time of their lives.

13 We at SeniorLAW Center are
14 grateful for City Council's attention to
15 address the issue of housing and
16 homeownership for vulnerable older
17 Philadelphians. Your support, both
18 fiscal, programmatic and in allied
19 initiatives will enable our older
20 neighbors to get the legal and practical
21 help they need. Thank you very much.

22 COUNCILWOMAN GAUTHIER: Thank
23 you so much for that passionate
24 testimony and for all of your work and
25 advocacy.

1 I see that there's a question
2 from Councilmember Domb.

3 COUNCILMAN DOMB: Thank you,
4 Madam Chair. And I want to thank also
5 Councilmember Katherine Gilmore
6 Richardson for bringing this forward.

7 And my question might be for
8 Michael, but anyone can answer it. I
9 just have two questions: One is, can
10 you kind of break down -- Michael, I
11 think you said in your testimony it was
12 like \$9,000 per case roughly. I heard
13 9500 to 9,000, in that range. Can you
14 give me an idea of what that breakdown
15 is of those costs?

16 MS. FROEHLICH: I can. Thank
17 you so much for the question,
18 Councilmember Domb, and for your certain
19 involvement on this issue, and if I may,
20 another issue which causes tangled
21 titles, the residential property
22 wholesaler bill that you sponsored last
23 year that has passed into law. So that
24 number is drawn from the Pew's report.
25 On my other screen here I'm going down

1 in their report because they break it
2 down.

3 If you look at the report
4 towards the end, they have a table that
5 talks about where those costs are. From
6 our experience -- here we go. So this
7 is Table 6 of their report, if you look
8 at it. They break it down to being
9 attorney' fees are about half of the
10 cost, plus an additional \$3500 for
11 inheritance taxes, and advertising cost
12 of about \$500 advertising that the
13 estate has been raised, the probate fee
14 for about \$475, the recording fee of
15 257.

16 Garrett Hincken who testified
17 earlier in the hearing, the primary
18 author of the report, puts this forward
19 as a simple example of a home that is
20 assessed at \$88,800 at the time of death
21 where all of the heirs are known and
22 cooperative.

23 COUNCILMAN DOMB: The reason
24 for asking the question, I'm trying to
25 figure out is there a way that we can

1 save on some of those costs maybe. I
2 know the Bar Association I believe does
3 have people that volunteer to help. Is
4 there a way to expand that? I'm just
5 throwing it out there just to try to
6 figure out how we can get -- it seems to
7 me that we're only addressing
8 potentially with the money we're funding
9 maybe 8 or 9 percent of the tangled
10 titles out there, and this is like a
11 real issue of how do we obtain more
12 money. So that's just my thought there.

13 MR. FROEHLICH: Yeah. I would
14 defer to my colleagues at the VIP about
15 private and other legal services
16 programs, private lawyer involvement. I
17 will say one of the best
18 dollar-for-dollar ways to resolve these
19 issues is not to have them happen in the
20 future. And that's why I think
21 investing in helping Philadelphians have
22 wills now and doing estate planning now,
23 it makes things so much easier down the
24 road.

25 I know that Councilmember

1 Gilmore Richardson has a bill pending
2 that would work with funeral homes to
3 get the word out about potential wills.
4 I think it's a great step forward. But
5 really, so much of the cost in
6 unraveling a title is sort of
7 investigative work in trying to track
8 down where these heirs are and working
9 with them and counseling them and
10 talking.

11 It's not uncommon to come
12 across tangled titles where there are
13 individuals that own one-twelfth of the
14 property. And what do you say to
15 somebody to say, you own sort of
16 one-twelfth of your great aunt's
17 property. Really it's only worth \$800
18 or \$1800 or something, and to try to
19 work out sort of negotiation with the
20 family member in order to sign a deed to
21 part with that amount or another legal
22 document to part with that amount is
23 really not worth it. That's some of the
24 issues that we come across.

25 COUNCILMAN DOMB: My thought is

1 that if we have let's just say the top
2 20, 25 law firms in the City. Over the
3 last two years, I'm not going to speak
4 for them, but from what I can see in the
5 papers it seems like law firms have done
6 pretty well during this time period, and
7 I think there's a lot of lawyers in the
8 City that would love to help, and I
9 think there are already many that are
10 helping, but maybe we need to go to
11 those top 25 law firms and say, hey, we
12 need 5, 10, 15, 20 volunteers from each
13 firm, and I think lawyers would feel
14 really good about helping and doing this
15 for free. I'm just putting it out there
16 as an idea.

17 Second comment I wanted to
18 make, and I'm not sure if it could work
19 or not. But I don't know if everyone is
20 aware that we have about \$1 billion of
21 federal money that has to be -- from the
22 feds. It should go to child tax credit
23 and EITC. As I'm listening to this
24 testimony, I'm saying to myself how do
25 we connect the dots here, how do we make

1 sure that anyone who has a tangled
2 titled but goes to a campaign for
3 working families, United Way or BDT, and
4 they figure out, wait a minute, I can
5 get \$6,000 EITC, I can get 5,000,
6 whatever the numbers are, and I can use
7 that to untangle this title.

8 Is there a connectivity on
9 every one of the people who have tangled
10 titles? Because I got to think that --
11 well, I know they can't get issues with
12 the Revenue Department because of the
13 title, but they can get that money
14 because it has nothing to do with real
15 estate. And then they can free up their
16 property and get all the other benefits.

17 MR. FROELICH: Right. And I
18 think this is an initiative that we at
19 CLS really hope to be able to do
20 seriously with the NPI bond.
21 Historically, we haven't been able to
22 prioritize wills because everybody we
23 see is in crisis, and somebody's coming
24 in who is losing their home at sheriff's
25 sale and somebody else is coming who

1 wants a will.

2 And so, we have to sort of by
3 necessity of limited resources address
4 the person who's about to lose their
5 home. With the NPI bond and the
6 additional City investments, we hope to
7 be able to take a breath and say, look,
8 24 percent of CLS clients own their own
9 home and 47 percent, almost half of our
10 clients aged 60 and over, own their own
11 home. Just looking at CLS alone, what
12 if before we left our clients, we help
13 them with an SSI issue, a food stamp
14 issue, an employment issue, whatever
15 type of issue, before we let them leave,
16 we said, look, we got to do a will
17 together and that's sort of a low
18 hanging fruit really. And then if that
19 model works, we can expand on the City's
20 two dozen housing counseling agencies
21 that do such great work and on to
22 Benefits Data Trust and with other
23 trusted community partners to offer this
24 as an opportunity.

25 COUNCILMAN DOMB: And I applaud

1 CLS and all the others. You guys are
2 doing great work. I guess my questions
3 is if I had a tangled title and I called
4 you, Michael, and you said, hey, Allan,
5 it cost \$9,000 to do this and I don't
6 have the money, but if you said, go call
7 BDT or Campaign for Working Families and
8 maybe you can fill out some of those
9 forms and get the money, I'm trying to
10 get that connectivity going so that we
11 can get that federal money, \$1 billion,
12 okay. 75,000 families qualify for this,
13 almost 300,000 residents for our City.
14 That's federal money that's free.

15 We can use that money to
16 untangle these titles in some cases
17 because I kind of think there's a lot of
18 connectivity here. And then they can
19 apply to the City for some of these
20 other programs. I think it should be
21 automatic. Anyone who goes for a
22 tangled title should be connected to one
23 of these sources for these other forms
24 of federal money.

25 MR. FROELICH: I --

1 MS. GOLDBERG: Sorry, Mike.
2 Councilperson Domb, I can speak from
3 SeniorLAW Center where we're working
4 with the partners in terms of we're
5 always evaluating those families who are
6 eligible not only for the new EITC
7 money, but for any programs that are out
8 there. We're not just working with the
9 Tangled Title Fund, but we're looking at
10 all the other resources that are
11 available. We're doing a benefits
12 checkup for our older people to see
13 where can we take out money from the
14 rest of the budget, get them resources
15 for that, that then can go into the
16 housing. So I believe that all of our
17 partners are working on that now.

18 I would stress with Mike the
19 fact that the prevention part, and I
20 know Register Gordon is right there with
21 us, that that is so important in terms
22 of writing the wills. It also has to
23 come on the back end of untangling the
24 title, and we work with all of the large
25 law firms that are at our clinics.

1 We're in their sites. We were
2 pre-COVID. But what I can tell you is
3 administering these programs within our
4 agencies does take time and it takes
5 funds, and our population is at a
6 critical point right now.

7 If we don't get this population
8 right now and get those wills written,
9 you're going to have yet another
10 generation of tangled title. So I do
11 think that our commitment to the City in
12 addition to untangling those that are
13 already tangled is getting out there
14 into the neighborhoods and giving some
15 funding to get those wills written so we
16 don't have another generation lost where
17 this has not been repaired or they
18 haven't directed to whom it's going to
19 go.

20 COUNCILMAN DOMB: Okay. I
21 understand. Anyway, thank you all for
22 your testimony and I'm committed to
23 trying to help get all of the tangled
24 titles untangled. So whatever I can do
25 to help, let us know. Thank you.

1 COUNCILWOMAN GAUTHIER: Thank
2 you, Councilmember. And I apologize.
3 We actually have two more panelists for
4 this panel.

5 So, Heather Hult, can you
6 please state your name for the record
7 and proceed with your testimony.

8 MS. HULIT: Good morning --

9 REGISTER GORDON: Jamie.
10 Excuse me, Jamie.

11 COUNCILWOMAN GAUTHIER: Yes,
12 Madam Register.

13 REGISTER GORDON: I'm sorry to
14 interrupt. I have another meeting to go
15 to. I just wanted to make one
16 correction. May I for the record?

17 COUNCILWOMAN GAUTHIER: Go
18 ahead.

19 REGISTER GORDON: Okay. So the
20 Register of Wills have not turned anyone
21 away from our Probate Deferment
22 Initiative nor have do we turned anyone
23 away. We refer all our clients that
24 have come directly to us and we have the
25 data to show you if you need to see it.

1 We always refer our clients to one of
2 the legal agencies. We do not turn
3 anyone away. Thank you.

4 COUNCILWOMAN GAUTHIER: Thank
5 you. And I think what we're starting
6 here today is a collaboration, so I'm
7 sure we're all going to learn a lot more
8 about what we're all doing and how. But
9 thank you so much for your work and your
10 participation today.

11 REGISTER GORDON: Thank you for
12 the commitment to work with us.
13 Councilman Domb, thank you for jumping
14 on board. I'm so excited.

15 COUNCILWOMAN GAUTHIER:
16 Absolutely.

17 Heather Hult, can you please
18 state your name for the record and
19 proceed with your testimony.

20 MS. HULIT: Good morning.
21 Thank you. My name's Heather Hult.
22 I'm the Director of Legal Advocacy at
23 Christian Legal Clinics at Philadelphia.
24 Tangled title is one of many of our
25 practices. Like VIP, we utilize a

1 network of volunteers to help low-income
2 Philadelphians. So we touch everything
3 from immigration to family law to some
4 landlord-tenant, some guardianship
5 record-clearing and unemployment.

6 Since this past January, we
7 helped raised 12 estates for the
8 assistance of PDI and Tangled Title
9 Fund. They're on their way to finishing
10 up. We have 22 that are still in the
11 pipeline and being worked on. And many
12 have already acknowledged tangled title
13 is a crisis and it needs attention and
14 it needs money. I'm glad to see that
15 it's getting both today.

16 It needs (inaudible) services.
17 It contributes to so many have said to
18 these blocks, right, of boarded-up
19 houses. I live near Point Breeze and it
20 was boarded-up houses and now it's
21 luxury condos. We're handing
22 neighborhoods away if we do nothing to
23 address this.

24 VIP through the Tangled Title
25 Fund and educational materials have been

1 lifesavers to me. You guys are so
2 helpful with my practice and the
3 materials have actually helped so many
4 of our clients directly take a lot of
5 these steps. So the education materials
6 and the information you've provided
7 through is wonderful. The Fund has been
8 wonderful. You hear from me a lot.

9 However, legal services and
10 money are good. But as Michael
11 mentioned, there's a lot of tangled
12 title situations that it doesn't touch,
13 right. Heirs can't be found. The
14 client doesn't live in the home so if
15 they find out it's 32 heirs, they're
16 like ehm. It's just an empty house
17 that's waiting for the area to be
18 gentrified enough for a developer to
19 come along, right.

20 They don't live in the homes.
21 They don't qualify for tangled title.
22 They're just not poor enough, right.
23 There's a Medicaid claim. That's a
24 bigger issue. That's a state issue, but
25 these cases that have Medicaid claims

1 and they don't qualify for the hardship
2 waiver, they are situations where
3 they've got to walk away and that house
4 will again sit until a developer finds
5 it interesting enough to do something
6 with it.

7 While we need to and we have to
8 stop the bleeding, I think today that
9 burden is there. We have to educate
10 people better. We have to focus on
11 prevention. It's not as if death is
12 uncommon or it's not going to touch
13 everyone. If we're doing our job
14 (inaudible) as everyone has a house
15 passing down to the next line.

16 I appreciate when leaders can
17 cite their own experiences to say, I
18 don't know what to do, and if I didn't
19 know what to do, then my constituents
20 didn't know what to do. So I thank
21 Ms. Gilmore for sharing that story.
22 That would be my story. I'm a lawyer
23 but before I did this work, did I know
24 how to do anything? No. When my
25 grandfather died, I had to figure it out

1 just like you did.

2 We have to consider the ways in
3 which we can demystify the whole thing.

4 I'm interested in working as a lawyer,
5 but I'm not interested in us needing to
6 exist as legal services forever, which
7 we try to shut ourselves down, right.

8 Most people don't have a complicated
9 estate. They have a family home. They
10 have a checking account, a savings
11 account, maybe life insurance. They
12 don't need complicated wills. The
13 probate process is complicated for
14 attorneys, much less for nonattorneys.

15 I think getting a working group
16 together, like how can we make this more
17 accessible, how can we make this less
18 mystical, a fill-in-the-blank would do
19 it for a lot of people. They agree that
20 they would do it with a lot of people
21 with the type of estate that they have.
22 Everybody can't afford an attorney, so
23 we need to make it possible for people
24 who don't have that access.

25 It can't be a lottery system of

1 the people who happen to get in the door
2 at CLS or VIP or us. Everybody needs to
3 be able to estate plan. Everyone needs
4 to be able to probate. We have a group
5 of practitioners, myself being one, to
6 focus on just putting together
7 presentations to communities we serve.
8 Our home model is being set up in
9 communities.

10 And I think -- who else was
11 saying this earlier. I agree from VIP
12 that finding those trusted entities in
13 the communities and connecting there,
14 right. They don't know me, but they
15 know Canaan Baptist. They don't know
16 me, but they know Philadelphia Access
17 Center, right, and they trust that place
18 and the people there and they know those
19 people. So we can connect with those
20 folks who are already leaders and get
21 information to the communities they
22 serve, that they exist in.

23 Funeral directors, right, they
24 interact with their clients, getting
25 information to them on why estate

1 planning is important and just the basic
2 roadmap of probating, what to do, the
3 steps to take when somebody dies, right.
4 People don't know this, but even just a
5 myth of (inaudible), right. Here are
6 all the things that you know your
7 stepchildren will get nothing unless you
8 make a will.

9 There's huge barriers of people
10 wanting to talk about death. It's not
11 something that people like to do. So
12 even just making that normal,
13 everybody's going to die, normalizing
14 estate planning. Everybody we do
15 probate for comes back and does a will
16 with us. We bother them to death until
17 they do it because they know what it is
18 to deal with a tangled title; hey, now
19 you own a house, take care of your
20 business so that you're not putting this
21 on the next generation.

22 So I'd like to see us really
23 focused on prevention and how we can
24 demystify the whole thing. We can do
25 that with a lot of legal areas, but it's

1 just one where we're seeing the result,
2 we're seeing the crisis. So I'd love to
3 be part of that. And I really thank you
4 guys for letting us be part of the
5 discussion here today. We appreciate
6 it.

7 COUNCILWOMAN GAUTHIER: Thank
8 you very much for your testimony and for
9 your service.

10 And, Joanne Werdel, can you
11 please state your name for the record
12 and proceed with your testimony.

13 MS. WERDEL: Thank you so much,
14 Councilperson Gauthier, and thank you,
15 Councilperson Gilmore Richardson, for
16 the invitation to testify here today.
17 My name is Joanne Werdel, and I am the
18 Co-supervising Attorney of the Consumer
19 Housing Unit at Philadelphia Legal
20 Assistance.

21 PLA provides free legal
22 assistance to thousands of low-income
23 Philadelphians every year. And within
24 PLA, the Consumer Housing Unit assists
25 homeowners who are facing the loss of

1 their homes due to mortgage foreclosure,
2 tax foreclosure, tangled title issues
3 and predatory lending or deed theft.
4 PLA also operates the Save Your Home
5 Philly Hotline in partnership with the
6 City of Philadelphia and the
7 Philadelphia court system. And the
8 hotline serves as the central point of
9 contact for homeowners in Philadelphia,
10 who are facing mortgage foreclosure or
11 tax foreclosure and tangled title
12 issues.

13 The hotline assists thousands
14 of homeowners every year. In fact, much
15 of PLA's current work on tangled title
16 issues really evolve out of our work
17 operating the hotline and working in
18 close partnership with the Mortgage
19 Foreclosure Diversion Program. Within
20 the diversion program, PLA is the
21 primary point of contact for those cases
22 that have come to be known colloquially
23 as the block pieces, those foreclosure
24 pieces and with some title issues
25 effectively blocking resolution of the

1 foreclosure case and has to be resolved
2 in order for the parties to move forward
3 with the loan modification or other
4 workout.

5 And as our work in this area
6 has expanded, we have prioritized those
7 pieces where the tangled title presents
8 some urgent risk to the home. Like Mike
9 was saying also CLS, we are focused on
10 folks who are about to lose their home,
11 pending foreclosure, mortgage
12 foreclosure, tax foreclosure and we've
13 also started prioritizing those cases
14 where a homeowner needs title in order
15 to access financial assistance for
16 repairs or other City services.

17 And finally for the next two
18 years, we will also be hosting an
19 independence fellow who will focus on
20 representing homeowners in the North
21 Square neighborhood who have a claim via
22 adverse possession to side lots that
23 they have cared for as gardens or yards
24 for decades and which are now facing
25 intense gentrification pressure.

1 So as Mike said and others have
2 said, tangled title cases, they range
3 from fairly straightforward to just
4 incredibly complex. On the sort of
5 extreme end, a recent case that we
6 litigated successfully at trial earlier
7 this spring required over 250 hours of
8 attorney time over two years and that's
9 on the very extreme end. When heirs are
10 available and can be found, they are
11 cooperative, cases can be resolved
12 usually fairly simply within a few
13 months.

14 Since 2019, PLA has assisted
15 over 400 low-income homeowners with
16 tangled title issues, providing legal
17 advice, referrals, brief service and in
18 some cases full representation by an
19 attorney. Since 2019, we have helped at
20 least 79 Philadelphians obtain clear
21 title to their home and we've provided
22 legal advice on how to probate an estate
23 or other brief service, more than 300
24 others. Obviously, that's a drop in the
25 bucket against a backdrop of more than

1 10,000 tangled titles in the City of
2 Philadelphia. And so, we are so
3 grateful for the City's and for
4 Council's commitment and investment in
5 additional funding to address these
6 tangled titles and we look forward to
7 expanding our work on behalf of
8 low-income homeowners in Philadelphia.

9 So as others have said, a
10 tangled title does more than just tie up
11 equity and wealth. Tangled titles are
12 an affordable housing issue. It can
13 make it impossible to access critical
14 services such as the City's Basic
15 Systems Repair program. I can't tell
16 you how many clients I talk to where
17 there's a hole in their roof, right, or
18 there's just urgent repairs that they
19 need and they can't get those repairs
20 because we can't untangle the title
21 quickly enough.

22 A tangled title can even cause
23 a home to be lost entirely. When a
24 homeowner dies and if there's a mortgage
25 on the home, the mortgage company may be

1 perfectly happy to accept money as long
2 as the account is current. But if
3 someone falls behind, if the heirs fall
4 behind or something else goes wrong, the
5 title issues typically need to be
6 resolved and resolved quickly in order
7 to save the home from foreclosure.

8 We frequently talk to folks who
9 are so frustrated because the mortgage
10 company won't speak to them because
11 they're not the account holder. They're
12 not the person who took out the
13 mortgage. And as the Pew report makes
14 clear, tangled titles in Philadelphia,
15 they're not affecting everyone equally.

16 The vast majority are
17 concentrated in census tracts where the
18 majority of residents are Black and
19 Brown and that data is consistent with
20 the cases we see at PLA. Approximately
21 80 percent of PLA's clients with tangled
22 title identify as Black, another 12
23 percent as White and 5 percent as
24 Hispanic or Latinx.

25 In addition, approximately half

1 of our clients with tangled title there
2 is also children in the home. So these
3 are intergenerational households that
4 are working to maintain their long-time
5 family home, which is often the only
6 home they can afford. So as others have
7 already testified so powerfully, the
8 challenge is obviously huge, right with
9 10,000 tangled titles. But we look
10 forward and we're so grateful to be
11 working with our partners already, and
12 we're grateful for everyone's commitment
13 to this work.

14 As others have said, there are
15 a couple of issues where you have to
16 address both preventing more tangled
17 titles from happening in the future
18 while also dealing with the 10,000-plus
19 tangled titles that we already have. So
20 education about estate planning as
21 others have said is critical to avoid
22 more tangled titles in the future.

23 In my personal experience,
24 there's a couple of sort of key I would
25 call them misconceptions that are fairly

1 widespread in the City about inheritance
2 and estates that contribute to the scale
3 of the problem in Philadelphia. So
4 first, many of the folks that I've
5 spoken with, many people believe that if
6 a deceased family member wanted a
7 particular person to have the house,
8 then that house is theirs. And it comes
9 as a surprise to folks that the law says
10 something different if the person didn't
11 have a will.

12 Second, many people believe or
13 assume that if they are the ones who
14 lived in a family home and took care of
15 it for years after their family member
16 died that it belongs to them. And I
17 absolutely understand why people may
18 think that and it seems fair, right, if
19 you're the one that has been taking care
20 of the home. But we frequently talk to
21 folks who are frustrated and can't
22 understand why they need to jump through
23 so many hoops in death certificates,
24 finding lost heirs, filing petitions
25 with the Register of Wills or Orphans'

1 Court when they've been the ones who
2 were living in the house, they've been
3 paying the taxes, they've been paying
4 for the upkeep. So I think education
5 about estate planning and the importance
6 of having a will is really critical.

7 Second, right, with over 10,000
8 existing tangled titles in the City of
9 Philadelphia, it will take a dedicated
10 concerted effort by all the legal
11 services providers in Philadelphia along
12 with our trusted partners and the City
13 to help homeowners obtain clear title to
14 their house.

15 So as others have mentioned,
16 resolving tangled titles can be a very
17 slow process, but the result is worth
18 it. When homeowners have clear title,
19 they can access critical services and
20 they can tap into the equity into their
21 homes to make investment. So I just
22 want to provide one example and then
23 I'll wrap up of what an investment in
24 this work can accomplish.

25 I recently represented a young

1 man who was referred to us by the
2 Community Asthma Prevention Program at
3 the Children's Hospital of Philadelphia.
4 So Mr. Sharpe, my client, who was kind
5 enough to allow me to share his story
6 with you today, has a young child with
7 asthma. He and his family live in West
8 Philadelphia in a home that had been
9 owned by his mother who passed away
10 several years ago.

11 So this home urgently needed
12 repairs to address environmental
13 triggers that were exacerbating his
14 son's asthma. And CADPP is an amazing
15 program. They were prepared to do the
16 work, to do the repairs, but he had to
17 have title in his name before they could
18 do the repair work. There's also an
19 outstanding mortgage on the property
20 which had become delinquent after his
21 mother passed away, and which couldn't
22 be resolved until he obtained clear
23 title. And complicating matters a
24 little bit, which goes to the issue of
25 the state education about estate

1 planning, his mother had left a will and
2 directed that the home be left to her
3 son, but because it hadn't been
4 completed correctly, it was deemed
5 invalid and couldn't be probated.

6 So my client had to negotiate
7 with his sibling who did not live in the
8 home and you could understand why he
9 might have been hesitant to essentially
10 give away what he thought was his
11 inheritance. But because the mortgage
12 on the property consumed all of the
13 equity, we were able to explain to his
14 brother that, look, if you force the
15 sale of this house, no one's getting
16 anything, right. So ultimately, we were
17 able to explain and convince him to
18 assign his interest in the house to his
19 brother, and the Tangled Title Fund
20 which also we rely on all the time and
21 is such a wonderful resource, covered
22 the cost of probate and the estate as
23 well as the inheritance taxes. And now,
24 my client is the sole owner of his home
25 and he's moving forward with getting

1 those repairs that he needs to address
2 his son's asthma.

3 So as tangled title cases go,
4 this is a pretty simple one, but it
5 still needed an attorney to get it over
6 the hump, right. And this is just one
7 family, but there are thousands of
8 others like them in Philadelphia. So
9 again, I thank you for the invitation to
10 testify today and just want to express
11 again how grateful we are for City
12 Council's commitment, for the City's
13 commitment, to the issue of affordable
14 housing for their Register of Wills and
15 our partners and the Recorder of Deeds,
16 and we look forward to working together
17 with everyone to address this critical
18 issue.

19 COUNCILWOMAN GAUTHIER: Thank
20 you so much for your testimony and your
21 very important work. And I see that
22 there are questions for the panel from
23 Councilmember Gilmore Richardson.

24 COUNCILWOMAN GILMORE
25 RICHARDSON: Thank you so much, Madam

1 Chair.

2 I want to thank all of you so
3 much for your work and for all you do to
4 work with our constituents across the
5 City. I wanted to start with each legal
6 aid service organization, and I know
7 Melissa addressed this in her testimony
8 partially relative to the allocation of
9 revenue to the legal aid organization.

10 So for each of you, if you can
11 just respond to the assistance you
12 received directly from the City for this
13 work. So for each legal aid
14 organization representative, if you can
15 detail the City funding that you
16 received for this work. And we'll start
17 with VIP, Community Legal Services,
18 Philadelphia Legal Assistance. Then
19 SeniorLAW Center and then Christian
20 Legal Clinics of Philadelphia.

21 MS. HAQ: Thank you. Kelly,
22 you can go ahead.

23 MS. GASTLEY: (Shook head).

24 MS. HAQ: Got it. Perfect.

25 Thank you for bearing with us as we

1 coordinate. So Philadelphia VIP gets by
2 far the largest City contract regarding
3 tangled titles. And we are by the way
4 so excited, because Councilmember Domb
5 kind of touched on this, but we're so
6 excited for all of the legal services to
7 get in the game and start getting more
8 funding to do this correctly. But we
9 get about a \$500 -- sorry, I'm just
10 pulling it up right now.

11 So we get CDBG funding in the
12 amount of \$100,000. And that goes
13 directly to program services, so it's
14 support staffing and volunteer costs.
15 And 75,000 in City General Funding,
16 which goes directly to the Tangled Title
17 Fund. And \$290,000 for HTF New funding,
18 which goes toward staffing costs,
19 overhead, et cetera. And then another
20 \$100,000 in HTF monies that all goes
21 toward the Tangled Title Fund.

22 So all together, we have about
23 200,000-ish -- I'm sorry, I'm really bad
24 at mental math -- dedicated to the
25 Tangled Title Fund. So when you say the

1 entirety of our City contract, that is
2 comprised of both staffing costs and
3 also of Tangled Title Fund costs.

4 COUNCILWOMAN GILMORE

5 RICHARDSON: Okay. Thank you very, very
6 much. CLS, and then quickly we'll go to
7 PLA and SeniorLAW Center and Christian
8 Legal.

9 MR. FROEHLICH: Very quickly,
10 since July 1, 2019, CLS has received
11 \$125,000 per year in Housing Trust Fund
12 money for tangled title. In addition,
13 CLS has a longstanding contract with
14 DHCD for \$440,000 to do mortgage and tax
15 foreclosure work or represent clients
16 with mortgage and tax foreclosure work.
17 So if as part of the representation in
18 the mortgage or tax foreclosure work
19 there happens to be a tangled title,
20 that work will also be funded under the
21 440,000. I would estimate maybe, I
22 don't know, 10 percent of those clients
23 represented under that general mortgage
24 and tax foreclosure contract also have
25 tangled titles.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Okay. Thank you. Thank
3 you very much. PLA.

4 MS. WERDEL: PLA gets again
5 since July of 2019 has received, I
6 believe, 85,000 a year for tangled
7 title. And we also have a separate
8 contract with the City to run the
9 hotline and the hotline paralegals who
10 are working on that contract obviously
11 are flagging those cases for us.

12 I believe the hotline contract
13 might -- I'd have to get back to you on
14 that. It may be about 500 -- I'm not
15 sure. But the tangled title work
16 explicitly is 85 a year.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Okay. Thank you. Thank
19 you very much. SeniorLAW Center.

20 MS. GOLDBERG: Yes. So
21 although we received money from DHCD,
22 that's strictly for the Mortgage
23 Foreclosure Diversion Program and we're
24 doing triage work and we work in
25 conjunction with the housing counselors.

1 So our tangled title work that we're
2 doing, and we've had over 670 calls in
3 the last five years, is not funded by
4 any City money at all.

5 COUNCILWOMAN GILMORE

6 RICHARDSON: Okay. But you do oversee
7 mortgage foreclosure prevention work?

8 MS. GOLDBERG: Yes.

9 COUNCILWOMAN GILMORE

10 RICHARDSON: And how much is that?

11 MS. GOLDBERG: If it's okay
12 with you, Councilwoman, I can get that
13 to you off the record. I just want to
14 make sure that I give you the correct
15 amount.

16 COUNCILWOMAN GILMORE

17 RICHARDSON: Okay. Great. Thank you.
18 And then for Christian Legal Clinics.

19 MS. HULIT: Yeah. We actually
20 don't receive any government funding,
21 federal, state or local for this work.
22 Our clients come to Clinics and this is
23 what they need. We get all of our
24 funding from individual donors, churches
25 and family foundations right now.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Okay. All right. Thank
3 you. Thank you very much.

4 And thank you, Madam Chair.
5 I'll reserve the remainder of my
6 questions and I'll submit them for the
7 record, okay, and then for the working
8 group. Thank you very much.

9 COUNCILWOMAN GAUTHIER:

10 Ms. Alford, can you call up the next
11 panel to testify.

12 THE CLERK: Marjorie Chance,
13 Andrea Custis and Queen Judith Robinson.

14 COUNCILWOMAN GAUTHIER: Can you
15 please state your name for the record
16 and proceed with your testimony.

17 MS. CHANCE: My name is
18 Marjorie Chance. And good morning,
19 Chairwoman Gauthier, Vice-Chair Jones
20 and members of the Committee on Housing,
21 Neighborhood Development and the
22 Homeless. My name is Marge Chance. I'm
23 an AARP volunteer. I'm here to testify
24 in support of Resolution 210695.

25 Philadelphia has long

1 recognized the importance of thriving as
2 an age-friendly livable city for all as
3 noted in AARP's 2020 Livable Communities
4 Action Plan Philadelphia, an
5 age-friendly livable city for all, the
6 commitment to make their great city and
7 even better place for nearly 280,000
8 residents who are over 60 years old.

9 And this number represents 19 percent of
10 the total population and is both
11 admirable and achievable.

12 I sincerely thank the Committee
13 and its members in particular for the
14 effort to continually work together with
15 AARP to make Philadelphia a good place
16 for growing up and growing older. I
17 also thank the sponsor Councilwoman
18 Gilmore Richardson for the introduction
19 of Resolution 210695 as Philadelphia has
20 long crippled with this issue of tangled
21 titles for homes.

22 According to an August 2021 Pew
23 Charitable Trust study that examined
24 tangled titles in Philadelphia, tangled
25 titles can and usually have serious

1 ramifications for residents and
2 neighborhoods, sometimes causing people
3 to lose their primary residence or
4 unable to make significant repairs. As
5 such, these titles, issues deprive
6 individuals and families of the benefits
7 of owning a home.

8 The title issue (inaudible)
9 packed on community stability, homes
10 with tangled titles are more likely to
11 fall into despair and become abandoned
12 causing blight and displacement and
13 reducing the stock of affordable
14 housing. Philadelphia has at least
15 10,000 tangled titles affecting 2
16 percent of the half million-plus
17 residential properties.

18 The incidence of tangled titles
19 is highest in parts of North
20 Philadelphia, Upper North, West and
21 Southwest Philadelphia areas that
22 account for only about a third of all
23 residential properties, but more than
24 half of the City's legal tangled titles.
25 Although no demographic data on affected

1 household is available to the
2 neighborhoods, most affected needs to be
3 those with relatively low housing value,
4 low income and high property rates.

5 Resolving a tangled title issue
6 which usually requires an attorney can
7 be time-consuming, tedious and
8 expensive. Without subsidized legal
9 counsel, fee waivers or other public
10 assistance, the cost of remedying the
11 tangled titles can be significant, about
12 \$9,000 or more for a home valued at the
13 median of \$88,800.

14 AARP's 2020 Livable Communities
15 Action Plan further emphasizes the need
16 to provide legal services to resolve
17 tangled issues that threaten the
18 ownership rights of individuals who
19 inherited property from a family member
20 who left no will. Binding solutions to
21 this complex issue will not be done in
22 one hearing or by one Committee. It
23 will take the combined efforts of all
24 Philadelphians to bring about meaningful
25 changes to this issue.

1 AARP is ready and willing to
2 work with counsel and other stakeholders
3 to resolve the detrimental effect of
4 tangled titles and make sure that owners
5 can exercise their property rights and
6 not lose their generational equality
7 acquired over time. Thank you for your
8 time and for your commitment to
9 Philadelphia's aging population. Thank
10 you.

11 COUNCILWOMAN GAUTHIER: Thank
12 you so much, Ms. Chance, for your
13 testimony and for your work.

14 Is Andrea Custis here and
15 connected?

16 MS. CUSTIS: Good afternoon,
17 Chairwoman Gauthier, Vice-Chair Jones
18 and members of the Committee on Housing,
19 Neighborhood Development and Homeless.
20 My name is Andrea Custis and I am the
21 President and CEO of the Urban League of
22 Philadelphia. And I am testifying today
23 pursuant to Resolution 210695 introduced
24 by Councilmember Gilmore Richardson.

25 As we strive to create a more

1 equitable society, we Philadelphians
2 must set an example to other cities
3 nationwide that nondiscriminatory
4 practices are not only possible, but
5 incredibly necessary. As I've stated
6 before, many things about how we move
7 through the world have changed due to
8 the COVID-19 pandemic. What has not
9 changed is the need for housing to keep
10 Philadelphians safe and healthy.

11 The issue of tangled titles is
12 not foreign to many Philadelphians.
13 According to the August 2021 Pew
14 Charitable Trust report on the issues of
15 tangled titles, it was reported that
16 more than 10,400 properties in
17 Philadelphia have unclear ownership.
18 That same report also found the tangled
19 title epidemic in Philadelphia has
20 significant barriers to community
21 stability, because homes with tangled
22 titles are prone to falling into
23 disrepair and even become abandoned,
24 causing blight and displacement and
25 reducing the inventory of affordable

1 housing.

2 What's more troubling is that
3 this tangled title epidemic was designed
4 to keep poor families poor, specifically
5 having a disproportionate burden on our
6 Black communities. I have had an
7 opportunity with our Director Abraham
8 Pardo who is Latino, I'm
9 African-American and the individuals
10 that we have served in doing workshops
11 is over 250. About 85 percent look like
12 me and the other 15 percent look like my
13 Brown Director. That has a disparate
14 impact on people of color.

15 An individual's home can be his
16 or her most valuable asset. Many of us
17 and our families begin to build wealth
18 through homeownership. And real estate
19 is one of the main vehicles for
20 preserving intergenerational wealth. It
21 is a fact that homes with title issues
22 are at risk for mortgage disclosure,
23 real estate tax delinquency and property
24 theft. This means that families are at
25 risk for losing wealth they have built

1 for generations.

2 I've had an opportunity -- I
3 think the Register of Wills Gordon just
4 came back on. I've had an opportunity
5 to have several meetings with her, with
6 our folks as well as doing these
7 separate tangled titles workshops. And
8 they all have been extremely helpful.
9 And I don't recall who it was that -- I
10 think it was Michael who talked about
11 preventative measures.

12 And so, last year we saw 2,750
13 people in our housing department and I
14 had committed to the Register that we
15 would absolutely pull the coattails,
16 educate and coach future homeowners to
17 have their life in order so that we can
18 prevent this and we absolutely have
19 done that with the 2,750 people who
20 attended.

21 There is no one solution to the
22 issue of tangled titles. However,
23 implementing policies and programs that
24 remove unnecessary barriers to housing
25 is just one of many steps we must take

1 to reverse the historical effects of
2 institutional racism, empower the people
3 of Philadelphia and strengthen our City
4 as a whole. When our people are
5 empowered, our City is empowered.

6 Government and other
7 organizations must take steps and invest
8 in programs to help low-income
9 households prevent and resolve tangled
10 titles. This includes, but is not
11 limited to, greater investments in, one,
12 educational programs that ensure
13 homeowners know what a tangled title is,
14 how probate works and why a will is
15 important, and we cover that as I said
16 with all of our clients.

17 Two, fee deferrals and waivers
18 to make clearing a tangled title less
19 costly. It is costly and we have to be
20 able to take that cost away from our
21 residents. Three, free legal assistance
22 for those without the means to pay. The
23 Urban League of Philadelphia is ready
24 and willing to continue our work with
25 Council and with other stakeholders to

1 resolve the detrimental effects of
2 tangled titles. Thank you for your time
3 and consideration.

4 COUNCILWOMAN GAUTHIER: Thank
5 you so much, Ms. Custis, for your
6 testimony and for all of your great
7 work.

8 And, Queen Judith Robinson, are
9 you there and connected?

10 THE CLERK: Council Support is
11 bringing her into the meeting now.

12 COUNCILWOMAN GAUTHIER: Okay.
13 Wonderful.

14 (No response.)

15 COUNCILWOMAN GAUTHIER: Is she
16 unavailable?

17 COUNCIL TECH SUPPORT: She will
18 be with us in a couple of seconds.

19 COUNCILWOMAN GAUTHIER: Okay.
20 Wonderful.

21 (Voicemail recording.)

22 COUNCILWOMAN GAUTHIER: Okay.
23 It looks like we missed her. Thank you
24 so much.

25 So are there any questions or

1 comments from members of the Committee
2 for this panel? Councilmember Gilmore
3 Richardson.

4 COUNCILWOMAN GILMORE

5 RICHARDSON: Thank you so much, Madam
6 Chair.

7 I just wanted to thank the last
8 panel for their testimony to AARP and to
9 Andrea Custis at the Urban League of
10 Philadelphia. And I wanted to ask
11 Andrea specifically and both of them,
12 what more we can do from a City
13 government perspective to better
14 communicate and collaborate with their
15 offices to ensure that we are doing all
16 we can to inform our constituents about
17 this tangled title and deed issue in the
18 City?

19 MS. CUSTIS: Katherine, that's
20 a wonderful question. What I would like
21 all of City Council to do is refer any
22 of your constituents in your area to us,
23 we will absolutely help them, assist
24 them. We'll do one-on-one. We're also
25 doing workshops. And I will tell you we

1 are not going to let anybody -- someone
2 else said that. We're not going to turn
3 away anybody and not let anybody not be
4 helped.

5 We've done that with renter
6 eviction. The City has been so pleased
7 that they gave us extra money to help
8 those renters that need help. I think
9 all of you know our work ethic. Abraham
10 has worked with the Register. We are
11 doing everything we can. I guarantee
12 you and commit to you today, send
13 anybody our way and we will definitely
14 take care of them.

15 And then the other thing is
16 that we really need to really do some
17 more preventative measures and make sure
18 that all housing counselors are going
19 over this information so that we won't
20 have this in the future, right. It's
21 better to educate upfront than to wait
22 until there is a problem. Thank you for
23 asking.

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Thank you. Thank you very

1 much.

2 And thank you, Madam Chair.

3 COUNCILWOMAN GAUTHIER: Thank
4 you so much. So there being no further
5 questions from members of the Committee
6 and no other witnesses to testify, I
7 will ask if there is anyone else present
8 in this hearing whose name we have
9 failed to call and that wishes to offer
10 testimony on the resolution being
11 considered today?

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Madam Chair, I just wanted
14 to say for the record so we have this on
15 the record. For Queen Judith Robinson,
16 we did attempt to reach out to her. We
17 had the Tech team contact her multiple
18 times so that we can try to have her
19 testimony for this hearing.

20 So, Queen Judith Robinson, if
21 you're listening, if you can please
22 submit us testimony --

23 MS. ROBINSON: I'm here. I'm
24 here now.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Excellent.

2 COUNCILWOMAN GAUTHIER: There
3 she is. Ms. Robinson, can you please
4 state your name for the record and
5 proceed with your testimony.

6 MS. ROBINSON: Queen Judith
7 Robinson here to testify on this Bill
8 210, you know, 695. I waited a long
9 time to testify today, and I'm glad I
10 did because I heard a lot. But I want
11 to focus in on two of the testimony.
12 Mr. Frank Breslin from the Revenue
13 Department, and I would agree whoever
14 said that Vicki Riley is one of the best
15 to represent.

16 But he said you do not have to
17 be an attorney to come down to his
18 office, and the tax delinquency is one
19 of the major areas as to how people lose
20 these properties that's all tangled up.
21 I think we need to reiterate that, we
22 need to re-amplify that. We need to
23 make sure people know that they can come
24 out of the shadows to protect. They can
25 protect their inheritance. That's very

1 important.

2 And then the other testimony is
3 the lady from VIP. And I'm a little
4 flustered because it takes two lines and
5 a pandemic to get to speak at City
6 Council. Y'all got to do better at
7 this, really. And I'm avid at
8 testifying, but this is a hot doggone
9 mess, but I'm not going to digress.

10 The lady from VIP who said this
11 is a Black people's problem, Black
12 people, and I don't see Black people in
13 the room. I'm the last of the panel,
14 but I should be first, okay. Let me
15 tell you why. I'm a real estate broker
16 with many years of experience. You all
17 don't have the right people on the
18 panel. You don't have the right people
19 in the room.

20 I can document how many
21 tangled-up titles that I have untangled.
22 Over the years, estate planning, yes,
23 it's very important. But when you don't
24 have it in order to close a deal, we
25 untangle titles. And guess what, we

1 don't charge no \$9500. Whatever our
2 commission is, we close the deal and we
3 clean up every bit of mess there is.

4 So I think you all need to stop
5 with the nonsense and give people in the
6 room that won't be charging all of those
7 billable hours, as Allan Domb -- my
8 fellow real estate broker Allan Domb
9 said. It's a hell of a lot of money for
10 those little bit of cases that's been
11 resolved. Some of them are over 40
12 years. And I've watched them. They do
13 eminent domain. Every problem we have
14 had in real estate, they haven't done
15 nothing to help Black people. Nothing,
16 okay. I hate to be so emotional about
17 it, but you got to be. You got to be
18 when I'm listening to this mess.

19 All that money, and I'm glad
20 you broke it down who's getting what of
21 taxpayer dollars. And I guarantee,
22 Brother Domb, if somebody gets a little
23 bit of child care money and they
24 starving and all kinds of problems, they
25 not going to go and untangle a title.

1 It ain't going happen like that.

2 So let me -- because this is
3 the end of the road, so you put me last
4 but I should be first as I say. 41
5 percent of Strawberry Mansion where I
6 was born and raised, where I was born
7 and raised, you know Black folks, we
8 don't talk to any and everybody. Send
9 me downtown to talk to somebody that I
10 don't trust because you've done nothing
11 to help me.

12 The invisible hand of
13 government has done everything against
14 us. From the NTI, we're Black people in
15 charge. You got more NTI money, you
16 better use it to untangle some titles.
17 Eminent domain using PHA. I'll get
18 y'all on the second reading and final
19 passage for all this other mess that I
20 wanted to say today because I'm not
21 going to belabor the point because I
22 want to give you some solutions, okay.

23 Y'all keep running around
24 ranting and raving about all the
25 benefits. Violence, it'll reduce

1 violence. Bullcrap, it will reduce
2 this, that and the third. If that's
3 true, then y'all need to run to me, run
4 to me and have me help you right away.
5 Because if y'all really truly believe
6 that, that we can solve all these
7 societal problems by untangling titles,
8 I'm here and available to you. I'll
9 show you what I'm working with. And
10 guess what, put the money in escrow.
11 I'll wait to be paid, okay. I'll wait
12 to be paid --

13 COUNCILWOMAN GAUTHIER: We're
14 just going to ask -- we need to start
15 wrapping up.

16 MS. ROBINSON: Yeah, I know.
17 So let me get to the solutions because
18 y'all let everybody talk, yak, yak. But
19 when it --

20 COUNCILWOMAN GAUTHIER: Can
21 you --

22 MS. ROBINSON: -- comes to me,
23 then you want to shut me up. But I'm
24 going to be your secret weapon, okay.
25 I'm going to get you something done,

1 okay. So solutions because you need
2 them, because you don't have them. You
3 don't have them. You're dealing with
4 all these attorneys, all them billable
5 hours.

6 I'm uptown where it's happening
7 in Strawberry Mansion, but you don't
8 want to hear what I'm saying. You would
9 rather rush me off just like you did
10 that young Black lawyer. Face wasn't
11 smiling when she came on. See, we
12 watching you. Get your minds right.
13 What is this all about? What is this
14 all about --

15 COUNCILWOMAN GAUTHIER: Can
16 you --

17 MS. ROBINSON: Let me get you
18 some solutions, okay. Let me get you
19 some solutions because that's what you
20 need, all right. So first of all, you
21 need to open up the process, open up the
22 process and let some Black people like
23 myself who can talk to other Black
24 people, get them to trust me which they
25 will because I'm going to talk to them

1 like a Black person would be talked to,
2 not some legally crap that they don't
3 even understand. I'm going to get them
4 to tell me the problem and then I'm
5 going to solve it for them, okay.
6 That's the first thing.

7 Bring some Black real estate
8 professionals. It's not even that many
9 Black lawyers who are also real estate
10 savvy. Who do you come to when you want
11 a real estate value? You come to the
12 real estate broker. And everybody knows
13 that. You don't even go to the
14 appraiser who is the appraiser. You
15 come to the real estate broker and say,
16 give me a statement of value. That's
17 who you come to. So you leaving me out
18 the room and shutting me up, but you
19 need me, baby, okay.

20 The other thing is all of the
21 things that you can do before somebody
22 dies, before somebody dies. See, y'all
23 talking to White folks downtown, this
24 one over here, that one over there. But
25 you're not talking to me. I don't know

1 why not. I got solutions for you. But
2 I'm going to put a pin in it right there
3 because you made me wait two hours. My
4 time is just damn valuable as any of the
5 lawyers that you paying billable hours,
6 but you're not talking to your sista.
7 I'm a grandmother uptown, you know.

8 COUNCILWOMAN GAUTHIER: All
9 right. Thank you so much for your --

10 MS. ROBINSON: I know. Thank
11 you too, okay. Thank you too. Y'all
12 need to get y'all minds right.

13 Everybody but --

14 COUNCILWOMAN GAUTHIER: Thank
15 you for --

16 MS. ROBINSON: -- have a good
17 day. Have a good one.

18 COUNCILWOMAN GAUTHIER: -- your
19 testimony today.

20 COUNCILWOMAN GILMORE

21 RICHARDSON: Madam Chair, can I just
22 respond to that because I think --

23 COUNCILWOMAN GAUTHIER: Yes.

24 COUNCILWOMAN GILMORE

25 RICHARDSON: -- for the record it just

1 needs to be on the transcript. For the
2 record as we prepare for all hearings in
3 Philadelphia City Council, we advertise
4 the hearing, share the information on
5 social media in advance of the hearing.

6 The hearing was advertised by
7 the Chief Clerk's Office. And my team
8 and I received an email from Queen
9 Judith Robinson today. We received the
10 email today at around 10:35 while the
11 hearing was going on. So as soon as we
12 received the information, we did get it
13 over to the Tech team to ensure that she
14 could be included in the hearing.

15 And, Madam Chair, I had to
16 include that for the record to let
17 individuals know that we are seeking to
18 hear from all of our constituents on
19 this important matter. Thank you very
20 much.

21 COUNCILWOMAN GAUTHIER: No
22 problem, and thank you for that
23 clarification.

24 So there being no further
25 questions from members of the Committee

1 and no other witnesses to testify, this
2 concludes the business before the
3 Committee on Housing, Neighborhood
4 Development and the Homeless today.

5 And I just want to thank
6 everyone who called in to share
7 testimony. I want to thank everyone for
8 their work. I want to especially thank
9 Councilmember Gilmore Richardson and our
10 Register of Wills and all of the legal
11 service organizations working on this
12 cause.

13 And it feels like a big issue,
14 but I feel like we have a lot of the
15 right people at the table, and that
16 makes me confident that we'll be able to
17 help our constituents on this and really
18 make a positive impact. So thank you so
19 much everyone and have a wonderful day.
20 Bye-bye.

21 COUNCILWOMAN GILMORE

22 RICHARDSON: Thank you, Madam Chair.
23 Thank you, colleagues. Thank you all
24 who testified and participated in the
25 hearing.

(Committee on Housing,
Neighborhood Development and The
Homeless concluded at 1:12 p.m.)

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

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

TANEHA CARROLL
Court Reporter - Notary Public

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

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