

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FINANCE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, November 12, 2014
10:20 a.m.

PRESENT:

COUNCILWOMAN MARIAN B. TASCO, CHAIR
COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN MARK SQUILLA

BILLS 140209, 140638, and 140717
RESOLUTION 140500

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COUNCILWOMAN TASCO: Good morning. The Council's Committee on Finance will come to order, and we will note that Bill No. 140209 will be held. We will not be hearing that bill today. We will hear Bills No. 140638 and 140717 and Resolution 140500.

We are going to do the bills first, go into a public meeting, vote them out, and then come back for the resolution hearing on the tax collection. That will take about two minutes.

So now would we have the Clerk read the bill numbers that are to have our hearing now.

THE CLERK: Bill No. 140638, an ordinance amending Chapter 19-3900 of The Philadelphia Code, entitled "Tax Exemptions for Longtime Owner-Occupants of Residential Properties," by amending the eligibility requirements to make eligible properties owned by certain individuals who received assistance in the acquisition of the property as part

1 11/12/14 - FINANCE - BILL 140638, etc.
2 of a government or non-profit housing
3 program, all under certain terms and
4 conditions.

5 Bill No. 140717, an ordinance
6 amending Chapter 19-3900 of The
7 Philadelphia Code, entitled "Tax
8 Exemptions for Longtime Owner-Occupants
9 of Residential Properties," by specifying
10 certain circumstances sufficient to
11 demonstrate equitable ownership of a
12 property under the Longtime Owner
13 Occupants Program, under certain terms
14 and conditions.

15 Resolution No. 140500,
16 resolution authorizing the Committee on
17 Finance to conduct hearings concerning
18 the collection of delinquent taxes owed
19 to the City of Philadelphia and the use
20 of third-party collection agencies.

21 COUNCILWOMAN TASCO: Thank you
22 very much.

23 We will now call on those
24 witnesses who are here to discuss Bill
25 Nos. 140638 and 140717.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 (Witnesses approached witness
3 table.)

4 COUNCILWOMAN TASCO: Good
5 morning.

6 COMMISSIONER TOLSON: Good
7 morning, Councilwoman.

8 COUNCILWOMAN TASCO: Would you
9 state your name for the record and
10 proceed with your testimony.

11 COMMISSIONER TOLSON: Good
12 morning, Chairwoman Tasco and members of
13 the Committee on Finance. My name is
14 Clarena Tolson. I'm the Revenue
15 Commissioner and the Chief Collections
16 Officer for the City of Philadelphia.
17 I'm here today to testify on Bill No. 717
18 introduced by Councilman Johnson.

19 Bill No. 140717 amends Chapter
20 19-3900 of The Philadelphia Code,
21 entitled "Tax Exemptions for Longtime
22 Owner-Occupants of Residential
23 Properties," which authorized the LOOP
24 Real Estate Tax discount by expanding the
25 definition of eligible owners to include

1 11/12/14 - FINANCE - BILL 140638, etc.
2 owners of record who, despite not being
3 the owner of record the entire ten-year
4 period required to categorize them as a
5 longtime owner, were family members of
6 the owner of record, resided in the
7 property for that entire time, and were
8 responsible for utility, tax, and
9 maintenance bills for the entire ten-year
10 period.

11 We understand that the
12 Councilman will be presenting amendments
13 to the Committee that clarify how
14 eligibility will be determined. With
15 these changes, the Administration
16 supports Bill No. 140717.

17 Thank you for the opportunity
18 to testify today. I'm here to answer any
19 questions that you may have.

20 COUNCILWOMAN TASCO: Why don't
21 we discuss this first before we go to the
22 next one.

23 Are there any questions on
24 this?

25 The Chair recognizes Councilman

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Greenlee.

3 COUNCILMAN GREENLEE: Thank
4 you, Madam Chair.

5 Good morning. I thank the
6 Administration for supporting this bill,
7 and I want to recognize Councilman
8 Johnson's efforts on this. I've had some
9 experience with this myself in my
10 neighborhood where people have lived in
11 the house for a long time, maybe the
12 parent died sometime a year or two ago,
13 but they have been the one paying the
14 bills for a long time. The property may
15 not be in their name, but they really
16 are, in the realistic sense, the owners.

17 So I think this is an important
18 bill. I think it will help a lot of
19 people particularly in the gentrifying
20 area, because there's still a lot of
21 people in those areas that are not high
22 income, have not bought a property for
23 four or five hundred thousand dollars and
24 maybe lived in the property their whole
25 life, although they may not have been the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 owner of record for those ten years.

3 So I think this is certainly a
4 good bill, and I commend Councilman
5 Johnson for his leadership in this.

6 Thank you, Madam Chair.

7 COUNCILWOMAN TASCO: Thank you.

8 The Chair recognizes Councilman
9 Squilla.

10 COUNCILMAN SQUILLA: Thank you,
11 Madam Chair.

12 Is this going to work similar?
13 I know like we did with the homestead
14 when you had the tangled title situation
15 where people lived in the houses, yet
16 their parents' or grandparents' name were
17 still on them. So, I mean, it sort of
18 makes sense that if we have proof that
19 they are paying the bills and everything
20 along the way, that we do this.

21 If we prove that there's a
22 tangled title or a title that hasn't been
23 transferred properly for some sort, would
24 that give us the leeway in order to
25 approve a LOOP applicant?

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COMMISSIONER TOLSON: In order
3 to prove a LOOP applicant?

4 COUNCILMAN SQUILLA: To
5 approve.

6 COMMISSIONER TOLSON:
7 Councilman, just give me one second. I
8 don't want to say the wrong thing on
9 record.

10 COUNCILMAN SQUILLA: No
11 problem. I'm not tricking anybody.

12 COMMISSIONER TOLSON:
13 Councilman, we certainly can work on the
14 tangled title issue for the homestead,
15 and we have been.

16 COUNCILWOMAN TASCO: Could you
17 speak up, please. We can't hear you.

18 COMMISSIONER TOLSON: We have
19 been working on the tangled title issue
20 for homestead and making allowances for
21 people in that situation.

22 COUNCILWOMAN TASCO: Is the mic
23 on?

24 Speak into the mic. We can't
25 hear you.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COMMISSIONER TOLSON: Just in
3 case one is not working.

4 We have been making allowances
5 for tangled titles with regard to the
6 homestead program, and now we'll be more
7 clear for the LOOP program as well as a
8 result of this ordinance. So for
9 homestead, we have been working with
10 that.

11 COUNCILMAN SQUILLA: Right. I
12 know. You have been. You've been great
13 in helping a lot of residents that way
14 because of the issue. So it's almost
15 parlaying that onto the LOOP application;
16 therefore, allowing them to be eligible
17 for the LOOP when we had that same
18 situation.

19 COMMISSIONER TOLSON: Yes.

20 COUNCILMAN SQUILLA: Thank you.
21 Thank you so much.

22 COMMISSIONER TOLSON: Thank
23 you.

24 COUNCILWOMAN TASCO:
25 Councilwoman Brown.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILWOMAN BROWN: Yes. Good
3 morning. I too want to go on the record
4 to acknowledge Councilman Kenyatta
5 Johnson's acknowledgment of this flaw in
6 the system, some might call it, and the
7 remedy to reconcile in a way to protect
8 citizens who want to continue to do the
9 right thing while they protect their
10 families.

11 So we have a sense of who the
12 winners are, who might be potential
13 losers in this initiative, if any?

14 COMMISSIONER TOLSON: Saving
15 for -- assuming that there's nothing that
16 is unscrupulous that's being done, I'm
17 not sure that there's a potential loser.
18 It does protect the asset. It gives a
19 benefit to the asset. It doesn't
20 necessarily change the title to the
21 property. So if there was some family
22 dispute, it does not reconcile that
23 issue.

24 COUNCILWOMAN BROWN: Repeat
25 your last statement.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COMMISSIONER TOLSON: It does
3 not reconcile any ownership issues. So
4 if there's any conflict in the family or
5 confusion, that remains. This only deals
6 with addressing the LOOP benefit.

7 COUNCILWOMAN BROWN: Okay. Let
8 me reflect on a part of your answer and
9 circle back.

10 Thank you, Madam Chairwoman.

11 COMMISSIONER TOLSON: Thank
12 you.

13 COUNCILWOMAN TASCO: Before we
14 go to the next question, let me establish
15 that we do have a quorum in the presence
16 of Councilman Henon, Councilwoman Brown,
17 Councilwoman Blackwell, Councilman
18 Greenlee, Councilman Kenyatta Johnson,
19 Councilman Goode, and Councilman Squilla.

20 All right. Councilman Squilla.

21 COUNCILMAN SQUILLA: Thank you,
22 Madam Chair.

23 The LOOP applicants that we
24 have, we had a lot of budget for
25 gentrification. What was that total

1 11/12/14 - FINANCE - BILL 140638, etc.
2 amount that was allotted? Do we have
3 that?

4 COMMISSIONER TOLSON: Twenty
5 million dollars.

6 COUNCILMAN SQUILLA: Twenty
7 million. When the applicants were
8 completed, what was the final total of
9 applicants that was received?

10 COMMISSIONER TOLSON: The
11 benefit so far is \$16 million.

12 COUNCILMAN SQUILLA: Sixteen
13 million?

14 COMMISSIONER TOLSON: Yes.

15 COUNCILMAN SQUILLA: So even
16 with the extension of these additional
17 people, we still have money that we would
18 not go over the budget?

19 COMMISSIONER TOLSON: Yes.

20 COUNCILMAN SQUILLA: Thank you.

21 COUNCILWOMAN TASC0: The Chair
22 recognizes Councilman Johnson.

23 COUNCILMAN JOHNSON: No
24 questions.

25 COUNCILWOMAN TASC0: Thank you

1 11/12/14 - FINANCE - BILL 140638, etc.
2 very much. We're now prepared to hear
3 your testimony regarding Bill 140638.

4 COMMISSIONER TOLSON: Good
5 morning again. My name is Clarena
6 Tolson, the Revenue Commissioner and
7 Chief Collections Officer for the City of
8 Philadelphia. I'm here today to testify
9 on Bill No. 140638 introduced by
10 Councilman Johnson.

11 This bill amends Chapter
12 19-3900 of The Philadelphia Code,
13 entitled "Tax Exemptions for Longtime
14 Owner-Occupants of Residential
15 Properties." Currently the LOOP program
16 is not open to properties that have
17 benefited from the City's ten-year tax
18 abatement, which exempts new construction
19 and improvements from taxation for ten
20 years. Bill 140638 would allow many
21 abated properties to receive the LOOP
22 discount if acquired with government or
23 non-profit assistance.

24 At present, the Administration
25 cannot support Bill No. 140638, as it is

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2 not consistent with the original purpose
3 of LOOP to provide relief to longtime
4 owners who face increased property values
5 and had not already been benefited from
6 government subsidy for their property,
7 such as the ten-year tax abatement.
8 Additionally, there are programs already
9 in place that keep annual tax payments
10 affordable for those whose property
11 values have increased.

12 We share the concern of
13 Councilman Johnson and the co-sponsors
14 about homeowners whose deeds restrict
15 them from accessing the increase in
16 equity of their homes and face increases
17 in their tax burden due to the growth in
18 their home value. We understand that
19 while these homeowners will eventually
20 see tremendous growth in their personal
21 assets, right now they cannot, and we
22 acknowledge that there is an imperative
23 that we keep homeowners in their home.

24 To that end, we are committed
25 to working with you to ensure that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 eligible constituents in that position
3 can participate in the deferral program,
4 which allows homeowners to delay payment
5 until they can access their resources.
6 In this program, homeowners with real
7 estate tax increases due to a 15 percent
8 or more increase in market value may
9 defer the increase until the property is
10 sold, paying off those amounts once the
11 value in the property is available to
12 them. This program allows participants
13 to stay in their home with the same
14 annual tax payment and repay the amount
15 down the road when they receive the
16 benefit of the appreciation in their
17 home. We appreciate Council's continued
18 support and outreach for the array of
19 programs offered to help homeowners with
20 their real estate tax bills.

21 We believe that limiting LOOP
22 to properties that have not received the
23 abatement remains appropriate and
24 consistent with the original intention of
25 this program. Allowing owners that have

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2 already benefited from the abatement to
3 also benefit from LOOP shifts the tax
4 burden to homeowners who have not
5 received a tax abatement and reduces the
6 funds available for schools and City
7 services. On the other hand, the
8 deferral program strikes the right
9 balance, we believe, in at least three
10 ways. First, where homeowners need to,
11 they can keep their old lower tax bill
12 until they sell. Secondly, City services
13 and the School District do not suffer
14 lost revenues. And, finally, it does not
15 create pressure for other taxpayers to
16 pay more.

17 Thank you again for the
18 opportunity to testify today.

19 COUNCILWOMAN TASCO: Thank you
20 very much.

21 The Chair recognizes Councilman
22 Greenlee.

23 COUNCILMAN GREENLEE: Thank
24 you, Madam Chair.

25 Good morning again.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Commissioner, in your testimony you say
3 there are -- the idea was to not have
4 people benefit from government subsidy
5 for their property such as the ten-year
6 tax abatement, but there are other
7 government subsidies that are much
8 smaller, correct?

9 COMMISSIONER TOLSON: That's
10 correct.

11 COUNCILMAN GREENLEE: And I
12 think -- I don't want to speak for
13 Councilman Johnson, but I think that's
14 what we're talking about here. So, I
15 mean, would the Administration be open to
16 having some kind of limit on the amount
17 of government subsidy? I mean, a
18 ten-year tax abatement, obviously you're
19 talking about a large amount of money,
20 but with some of these other programs,
21 you could be talking a small amount and
22 that person could still be a fairly
23 low-income homeowner, and I think --

24 COUNCILMAN JOHNSON: With a
25 deed restriction.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILMAN GREENLEE: Yeah,
3 with a deed restriction, so they couldn't
4 even sell the property.

5 COMMISSIONER TOLSON: We
6 certainly will work with the Councilman
7 and any others who would be interested in
8 developing an amendment to that. We
9 would be interested, yes.

10 COUNCILMAN GREENLEE: So you're
11 open to some modification?

12 COMMISSIONER TOLSON:
13 Absolutely.

14 COUNCILMAN GREENLEE: All
15 right.

16 Thank you, Madam Chair.

17 COUNCILWOMAN TASCO: The Chair
18 recognizes Councilman Goode.

19 COUNCILMAN GOODE: Thank you,
20 Madam Chair.

21 Good morning, Commissioner.

22 COMMISSIONER TOLSON: Good
23 morning.

24 COUNCILMAN GOODE: Just a
25 matter for the record in terms of trying

1 11/12/14 - FINANCE - BILL 140638, etc.
2 to distinguish between the two programs.
3 Although we're here to talk about one
4 program, which is the LOOP program, which
5 is for longtime owner-occupied residents,
6 the other program actually does not go to
7 the occupant. Technically it goes to the
8 property. So do you see the need for a
9 distinction between an incentive that
10 goes toward the property and one that
11 goes to the actual occupant?

12 In other words, I believe the
13 legislative intent of the LOOP program is
14 to focus on the occupant and the fact
15 that the occupant is a longtime owner.
16 And so essentially because the other
17 incentive is attached to a property,
18 someone may actually become an occupant
19 of that property nine years into an
20 abatement. A developer could hold the
21 abatement for years, then sell it to
22 someone. That person could hold the
23 property for nine years and then sell it
24 to someone else, and someone could
25 receive literally less than a year of an

1 11/12/14 - FINANCE - BILL 140638, etc.
2 abatement, a month of an abatement,
3 because it's actually attached to the
4 property as opposed to being focused on
5 the owner.

6 COMMISSIONER TOLSON: I agree
7 with you, Councilman. I think that
8 that's why we're open to the dialogue
9 about putting a cap on the value. The
10 LOOP program addressing people who have
11 been longtime owner-occupants of a
12 property being eligible for this as a
13 kind of reflective assistance to the
14 ten-year tax abatement, I believe that's
15 how it came into place. So to instead
16 unravel it a little bit to then allow
17 those who have received abatements at any
18 level could be problematic, which is why
19 we're very open to what you're saying.

20 COUNCILMAN GOODE: But the
21 question is, so the assumption -- there
22 is not an assumption in your testimony
23 that someone received a ten-year
24 abatement or a nine-year abatement or an
25 eight-year abatement. Someone could have

1 11/12/14 - FINANCE - BILL 140638, etc.
2 in fact received only a one-year
3 abatement.

4 COMMISSIONER TOLSON: That's
5 correct.

6 COUNCILMAN GOODE: So is it
7 fair that they would not be entitled to
8 the LOOP program if they only received a
9 one-year abatement?

10 COMMISSIONER TOLSON: That's
11 correct. And as written, they would be
12 allowed. So I think that we are open to
13 the dialogue about creating maybe a cap
14 on what type of abatement or how much of
15 an abatement was received.

16 COUNCILMAN GOODE: And just
17 lastly just to round this out, but the
18 Administration is still in support of the
19 ten-year abatement itself?

20 COMMISSIONER TOLSON: I believe
21 that we have not come to testify on that
22 piece of legislation. That is already in
23 existence. It has been in practice now
24 for two years.

25 Did you say the LOOP program or

1 11/12/14 - FINANCE - BILL 140638, etc.

2 did you say the ten-year tax abatement?

3 COUNCILMAN GOODE: The ten-year
4 tax abatement.

5 COMMISSIONER TOLSON: The
6 abatement. It's been in place now for
7 over ten years.

8 COUNCILMAN GOODE: And that
9 takes money from City services and
10 schools as well; does it not?

11 COMMISSIONER TOLSON: I think
12 at any point that you have any type of
13 program that provides a benefit to some
14 versus others, there is a cost to it,
15 yes.

16 COUNCILMAN GOODE: Okay. But
17 we have decided I think in the original
18 legislative intent that we want to create
19 incentives specifically for longtime
20 owner-occupants.

21 COMMISSIONER TOLSON: Yes.
22 That was the decision ten years ago, yes.

23 COUNCILMAN GOODE: And we
24 decided that was appropriate. So I think
25 that was the original legislative intent

1 11/12/14 - FINANCE - BILL 140638, etc.
2 to deal with people who have made a
3 long-term investment.

4 COMMISSIONER TOLSON: Correct,
5 with the LOOP program.

6 COUNCILMAN GOODE: As opposed
7 to dealing with incentives that were
8 attached to properties.

9 COMMISSIONER TOLSON: I'm
10 sorry. I couldn't hear you.

11 COUNCILMAN GOODE: As opposed
12 to dealing with incentives that were
13 simply attached to properties. We were
14 trying to benefit long-term owner
15 occupants. That was the original intent.

16 COMMISSIONER TOLSON: That's
17 correct.

18 COUNCILMAN GOODE: Thank you.
19 Thank you, Madam Chair.

20 COUNCILWOMAN TASCO: The Chair
21 recognizes Councilman Kenyatta Johnson.

22 COUNCILMAN JOHNSON: How you
23 doing, Ms. Tolson?

24 COMMISSIONER TOLSON: Good
25 morning.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 COUNCILMAN JOHNSON: I just
3 wanted to clarify just one aspect, that
4 separate from -- and I know the
5 legislative intent for the LOOP program
6 and how we don't want individuals to
7 benefit from the tax relief under tax
8 abatements and the actual LOOP program.
9 What distinguishes this legislation is,
10 again, we're talking about government
11 subsidized housing. So you have a
12 situation where an individual who moves
13 in a home based upon a certain income
14 criteria and the reason why they moved
15 into the home based on the certain income
16 criteria is because they have a certain
17 amount of income that will allow them to
18 move into this home, and when they are
19 faced with a situation where their
20 property value has increased, which we're
21 dealing with now as a result of AVI,
22 taxes have spiked, but they're in a
23 predicament where they can't sell their
24 homes. That deed restriction says you
25 have to stay in this home until whatever

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2 certain time limit is up. Are we
3 assuming that once that time limit is up,
4 the same individual who needed assistance
5 in moving into a government subsidized
6 type of housing will have a certain
7 amount of income to begin paying the
8 taxes once that restriction is over?

9 COMMISSIONER TOLSON: No.
10 We're not assuming their income may
11 change, but what we're also saying is
12 that the property can be sold at great
13 benefit, because in that same situation,
14 you can receive some government
15 assistance to purchase the home.

16 COUNCILMAN JOHNSON: What if
17 they don't want to move?

18 COMMISSIONER TOLSON: Even if
19 they want to stay, that's --

20 COUNCILMAN JOHNSON: I want to
21 stay in my neighborhood that's totally
22 developing around me.

23 COMMISSIONER TOLSON: That's
24 why the deferment program is also in
25 place.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILMAN JOHNSON: So --

3 COMMISSIONER TOLSON: But

4 that's why I suggest to you that placing
5 a cap on the value of the abatement could
6 address some of that.

7 COUNCILMAN JOHNSON: Okay.

8 COMMISSIONER TOLSON: I just
9 think we have to find a middle ground.
10 We're more than willing to work with you
11 on it. We understand completely where
12 you're coming from and what you're trying
13 to protect.

14 COUNCILMAN JOHNSON: A typical
15 individual -- and I don't want to say
16 typical, but if you're not in a
17 government subsidized home and you just
18 purchased a market-rate house with no
19 deed restriction, you have that option to
20 say, You know what, I'm going to cash out
21 tomorrow, I'm going to call one of my
22 good development friends, maybe Allan
23 Domb can come and purchase my home and
24 then go ahead -- well, it's not a condo,
25 but maybe I decide to move on. We're

1 11/12/14 - FINANCE - BILL 140638, etc.
2 talking about individuals that I deal
3 with on a regular basis that are part of
4 my constituents that I represent that are
5 saying, Look, we're stuck in the middle.
6 And I don't think when this legislation
7 was put together, I don't think that
8 was -- it wasn't under your watch, but I
9 don't think it was taken into
10 consideration that these type individuals
11 would be impacted. But we are willing to
12 take a look at how do we work in the
13 future.

14 COMMISSIONER TOLSON: We share
15 your concern. Surely we do.

16 COUNCILWOMAN TASCO: The
17 concern I have is that they've been
18 there, one of these homeowners who got a
19 government subsidy, and had their tax
20 abatement because of the income level.
21 Then because of the gentrification of the
22 neighborhood, the house really increases
23 in value, greater value, and then the
24 tax, what they have to pay, is increased.
25 And if they couldn't afford the tax that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 was there before they moved in, how are
3 they going to afford taxes on a house
4 that becomes maybe two or three hundred
5 thousand dollars? So you have to think
6 about that.

7 COMMISSIONER TOLSON: Yes. Yes
8 indeed.

9 COUNCILWOMAN TASCO: I don't
10 have that problem in my neighborhood, but
11 I certainly understand it.

12 Any other questions?

13 (No response.)

14 COUNCILWOMAN TASCO: Okay. We
15 have some other witnesses.

16 Young lady, do you have any
17 comments?

18 UNIDENTIFIED SPEAKER: No.

19 COUNCILWOMAN TASCO: Okay.
20 Let's go to our other witnesses. The
21 Chair calls Linda Evans, Elena Cooley.

22 Let me recognize Councilman
23 O'Brien has joined us.

24 (Witness approached witness
25 table.)

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILWOMAN TASC0: You are

3 Ms. Elena --

4 MS. COOLEY: I'm Elena Cooley.

5 Good day, everybody.

6 COUNCILWOMAN TASC0: Good

7 morning.

8 MS. COOLEY: Good morning.

9 Shall I start?

10 COUNCILWOMAN TASC0: Sure. Go

11 ahead.

12 MS. COOLEY: The home I am

13 currently in now is a house that my

14 mother grew up in. My grandparents

15 bought the house back in the '40s. Not

16 only have I had to put a lot of money

17 into fixing up the house -- I mean, it's

18 one thing after another, the roof, the

19 termites, different things like that.

20 Several years ago my mother took ill. So

21 right now we're still trying to get --

22 the house is an estate property. So

23 we're still trying to get everything

24 legally in my name, because my mother no

25 longer wants it. She lives with my

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2 father, but when she got sick, she moved
3 in with me, and it was really, really a
4 hardship just trying to pay the bills, in
5 which we had been paying the taxes.
6 We've been paying the bills.

7 Currently I have not applied
8 for any of the programs because the year
9 that my mother got sick, two years ago I
10 was running around trying to get things
11 together with her. Now, the situation
12 I'm in now, my taxes have went from
13 \$500-and-some dollars to over \$2,000.
14 Again, not only am I --

15 COUNCILWOMAN TASCO: An
16 increase of 2,000? Five hundred plus
17 2,000?

18 MS. COOLEY: It's gone up a
19 lot. You know, like last year the house
20 was maybe 500-and-some dollars taxes that
21 I paid, the year before last, but now
22 they're over 2,000 and I have not been
23 able to pay them. And it's really a
24 shame, because, first of all, it's
25 important to keep the home up as far as

1 11/12/14 - FINANCE - BILL 140638, etc.
2 the roof not falling down, water in the
3 basement. It's all kinds of situations
4 that you deal with when you have an older
5 house.

6 I am one of the people that
7 have been on the block as far as a family
8 home for a long, long time. A lot of
9 people on my block have been forced to
10 move because of various situations not
11 being able to, you know, keep up with
12 things. I am doing my best, and it's
13 really important that not only that I get
14 the house in my name because I'm dealing
15 with the estate thing, you have to have
16 fees to get that right, but knowing that
17 I have this hardship trying to keep the
18 taxes paid, it's really rough, and I
19 would appreciate if all of you would
20 consider that.

21 I love where I live. I'm a
22 part of the community. I'm active in the
23 community, and I think it's very unfair
24 for a lot of people to be forced out
25 because of, you know, the tax issues.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILWOMAN TASC0: Thank you
3 very much.

4 Any questions or comments of
5 this witness?

6 (No response.)

7 COUNCILWOMAN TASC0: Thank you
8 very much for taking time to come down to
9 testify. We appreciate it very much.

10 MS. COOLEY: You're welcome.
11 It was important.

12 COUNCILWOMAN TASC0:
13 Ms. Shibomba.

14 MS. SHIKOMBA: Shikomba.

15 COUNCILWOMAN TASC0: Forgive
16 me.

17 MS. SHIKOMBA: That's okay.
18 (Witnesses approached witness
19 table.)

20 COUNCILWOMAN TASC0: Go ahead.

21 MS. SHIKOMBA: My name is
22 Madeline Shikomba. I represent the North
23 of Washington Avenue Coalition. We are a
24 community group.

25 I'm here to speak on Bill No.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 140717 introduced by Councilman Johnson,
3 which will allow certain homeowners with
4 tangled title issues to enroll in the
5 LOOP program. Many of these individuals
6 otherwise qualify for the LOOP program,
7 but the deed of their home is still in
8 their parents' or grandparents' name.
9 Passage of this bill will allow these
10 individuals to establish ownership by
11 providing proof that he or she has paid
12 the utility bills, taxes, and repairs for
13 the last ten years.

14 Many people have lived in these
15 homes for years, taking care of loved
16 ones, parents and/or grandparents. When
17 that person passed away, they remained in
18 the home. They did not change the name
19 of the deed. I doubt if it occurred to
20 them that it was necessary. They
21 continued to pay their real estate taxes,
22 utility bills, and the water and maintain
23 that home. The sudden increase in real
24 estate taxes has left them very
25 vulnerable.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 For example, taking myself, in
3 2013 my taxes [sic] were \$31,200. In
4 2014 it jumped to \$316,000. My house was
5 assessed higher than a brand new house on
6 the same block down the street that was
7 built from the ground up, which was
8 assessed at \$314,200. Now you tell me
9 how my house still standing is worth more
10 than the house that's newly built. I
11 don't know.

12 This is clearly an attempt to
13 me to gentrify me out of my home. The
14 LOOP program has temporarily forestalled
15 this. I am a senior citizen on a fixed
16 income. The implementation of the LOOP
17 established me to remain in my home,
18 allowing me only pay taxes on -- instead
19 of 31,000, gracious city, 93,600 for the
20 next ten years. This still is expensive
21 to me.

22 When I bought my home, I did
23 not buy it as an investment to sell later
24 at a profit. I bought it as the place
25 where I planned to live and die and pass

1 11/12/14 - FINANCE - BILL 140638, etc.

2 it on to the next generation. This is

3 what these tangled deeds are about.

4 These are properties that have been

5 passed on to the next generation.

6 I'm going to divert for a few

7 minutes, because I just heard recently

8 that Mayor Nutter is opposing this. When

9 AVI came through and before LOOP was

10 passed, he expressed no sympathy for the

11 thousands of people who would lose their

12 homes because of AVI. He alluded to the

13 fact that they were sitting on a, quote,

14 gold mine, that if they couldn't pay the

15 taxes, sell it. How insensitive can you

16 get? In my view, Marie Antoinette who

17 told the starving French people who

18 didn't have bread, let them eat cake.

19 He's more interested in

20 giveaways like the ten-year tax abatement

21 in which people pay no taxes on the

22 building for ten years than helping

23 longtime owner-occupied owners stay in

24 the City and hold on to their properties.

25 These are the people that have been

1 11/12/14 - FINANCE - BILL 140638, etc.
2 paying their taxes. They paid taxes on
3 the property. If the taxes that have
4 been kept -- it is these taxes that have
5 kept the City alive. They do not receive
6 ten-year tax abatements like the newbies
7 who come into the City and other areas
8 and buy \$300,000, \$500,000, even half
9 million, million dollar homes and pay no
10 taxes on the buildings for ten years.
11 They are not paying -- these newbies are
12 not paying their fair share to the City
13 services that they reap.

14 Give us, give us breathing room
15 like you're giving them.

16 Currently there's money
17 available, I understand, in the LOOP
18 program which will enable people with
19 tangled deeds to participate in this
20 program without difficulty. District 1
21 and 2 and I believe District 5 were the
22 hardest hit by AVI when it was
23 implemented.

24 The implementation of AVI has
25 caused high concern and much uncertainty

1 11/12/14 - FINANCE - BILL 140638, etc.
2 among low- and moderate-income families.
3 They can't qualify for LOOP because of
4 deeds that are in their parents' name and
5 that of a deceased grandparent or parent.
6 Let them qualify for LOOP, because this
7 is truly unfair to all of us.

8 I missed the Revenue report,
9 but I understand, because I read it, that
10 they are crying about a few million
11 dollars that the City would be losing.
12 Look at us. We have paid you billions of
13 dollars in taxes, and you mean to tell me
14 you can't spare us a few million?

15 So I ask City Council to vote
16 for this bill. Give the seniors, the
17 low- and moderate-income people a chance
18 to partake in this program. This is what
19 the people desire. This is what we
20 desire, and I thank you.

21 COUNCILWOMAN TASCO: Thank you
22 very much.

23 Ms. Evans.

24 MS. EVANS: Good morning. I'm
25 just going to read my letter that I had

1 11/12/14 - FINANCE - BILL 140638, etc.
2 sent to Councilman Johnson.

3 I'm writing this letter in
4 support of Bill 140638. Quite frankly, I
5 need real estate tax relief.

6 Prior to AVI, my real estate
7 taxes were 1,200, and now my real estate
8 taxes are 4,000. I have applied and been
9 denied twice for the Philadelphia Tax
10 LOOP. In 1997, as a first-time home
11 buyer, I bought an affordable house
12 through SOSNA. The housing program was
13 subsidized by RDA and the federal
14 government. I own the property. I've
15 lived there since settlement date August
16 1998, and praise be to God, to date my
17 real estate taxes have been paid, folks.
18 Okay?

19 Even though the neighborhood
20 and the community at large has changed as
21 well as drastic economic changes in this
22 country, I still need the assistance of
23 local government to maintain my
24 affordable house.

25 In 1997, I purchased this house

1 11/12/14 - FINANCE - BILL 140638, etc.
2 because I could afford the mortgage,
3 including the taxes. Now, like most
4 Americans, I've had a decrease in income
5 due to a reduction of government funding.

6 So in closing, I really hope
7 the Finance Committee and all members of
8 City Council will support this bill.

9 Thank you.

10 COUNCILWOMAN TASC0: Thank you
11 very much.

12 Any questions of this witness?
13 (No response.)

14 COUNCILWOMAN TASC0: Thank you
15 very much for taking time, all of you, to
16 come down for this hearing. Thank you.

17 MS. SHIKOMBA: I'm sorry. Are
18 you hearing two bills at the same time?
19 Are you hearing on both bills at the same
20 time? I thought we were just on Bill
21 140 --

22 COUNCILWOMAN TASC0: We did
23 talk about 140638. You want to talk
24 about that too?

25 MS. SHIKOMBA: Yeah, just a

1 11/12/14 - FINANCE - BILL 140638, etc.
2 brief statement.

3 COUNCILWOMAN TASCO: Okay.

4 MS. SHIKOMBA: As the lady
5 before me alluded to it, these are
6 individuals in affordable housing who
7 should be allowed to enroll in LOOP, even
8 if they received a tax abatement. This
9 was really a subsidy. It wasn't really a
10 tax abatement. It's like a subsidy given
11 to them so that they could afford to live
12 in the houses that they otherwise would
13 not be able to buy. I don't think you
14 should compare that as an abatement
15 comparing that to the ten-year tax
16 abatement that you're giving other
17 people. This is truly unfair to them.
18 Okay? And if you allow them not to
19 participate in the LOOP program, many of
20 them will lose the houses that they
21 fought so strongly and so hard to get.

22 So I'm asking you to consider
23 them also for participation in the LOOP
24 program. This was not a tax abatement.
25 This was a subsidy. As it is, we are

1 11/12/14 - FINANCE - BILL 140638, etc.
2 subsidizing ten-year tax abatement people
3 as it is with our taxes, and you mean to
4 tell me you can't afford to allow them to
5 participate in this program? I really
6 find that most difficult to swallow.

7 Thank you very much.

8 COUNCILWOMAN TASC0: Thank you.
9 We appreciate your advocacy. Thank you
10 very much.

11 Next we have Mr. Richard
12 Gliniak and Alan Taylor and Kerreen
13 Franklin.

14 (Witnesses approached witness
15 table.)

16 COUNCILWOMAN TASC0: And is
17 Ms. Alexia Daniels here? You can come up
18 to this other chair. Well, we'll just
19 wait until -- I called the other lady
20 first, but we'll call you up once the
21 other ones...

22 All right.

23 MR. GLINIAK: Would you like
24 the lady to go first?

25 COUNCILWOMAN TASC0: It's up to

1 11/12/14 - FINANCE - BILL 140638, etc.
2 you.

3 MR. GLINIAK: Yeah.

4 COUNCILWOMAN TASC0: Thank you.

5 MS. FRANKLIN: Good morning,
6 Council. My name is Kerreen Franklin and
7 I am a long-term resident of South
8 Philadelphia. I live at 1029 South
9 Bouvier Street, which is a
10 three-generation home. I've been there
11 30-something years, and the past 18 years
12 I have been financially responsible for
13 the home solely. I'm here in support of
14 Bill 140717 as it relates to equitable
15 ownership.

16 My taxes last year were \$595.
17 This year it's over \$2,100. The ten-year
18 tax abatements that are given to new
19 homeowners is causing undue hardship on
20 me and my family.

21 I have applied for the LOOP
22 three times and have been denied, and
23 it's still in the appeal process. I feel
24 that the point of this legislation was to
25 not cause undue hardship on people who

1 11/12/14 - FINANCE - BILL 140638, etc.
2 had already lived in the neighborhood,
3 and it has affected not only me but
4 people that I have looked up to growing
5 up in my community who had to leave their
6 homes due to financial hardship.

7 This gentrification is not
8 nothing new, as we know, but it continues
9 to affect primarily minorities and low
10 income, which I am both. So I plead and
11 I beg you to not only consider but to
12 support the bill that Councilman Kenyatta
13 Johnson's office has presented to you.

14 Thank you.

15 COUNCILWOMAN TASCO: Thank you.
16 Thank you for coming down to testify. We
17 appreciate your testimony.

18 Mr. Gliniak -- all right. Go
19 ahead, sir, Mr. Taylor.

20 MR. TAYLOR: Good morning. My
21 name is Alan Taylor, lifelong resident of
22 South Philadelphia. I'm a veteran in the
23 Marine Corps and I'm a retired
24 Philadelphia Gas Work employee after 30
25 years. I'm here today on behalf of my

1 11/12/14 - FINANCE - BILL 140638, etc.
2 neighbors, myself from the 1900 block of
3 Carpenter Street to urge --

4 COUNCILWOMAN TASC0: Could you
5 speak into the mic, please.

6 MR. TAYLOR: -- to urge the
7 Philadelphia City Council Finance
8 Committee to support Councilman Johnson's
9 bill.

10 I, along with my neighbors,
11 purchased our properties through the
12 Philadelphia Housing Development
13 Corporation, which assists low- and
14 moderate-income families, on the 1900
15 block of Carpenter Street between the
16 years of 2000 and 2003. We moved to
17 Carpenter Street. When we moved there,
18 it was a neighborhood with a notorious
19 reputation with age-old problems of
20 poverty, inferior schools, drugs, and
21 violence. The corner of 20th and
22 Carpenter Street, a half a block away
23 from my residence, fell under Mayor John
24 Street's Safe Streets program, an
25 initiative to curb long histories of

1 11/12/14 - FINANCE - BILL 140638, etc.
2 crimes in neighborhoods. It was programs
3 like Safe Streets and an intrinsic belief
4 that we could help change our
5 neighborhoods that compelled us to
6 purchase properties in spite of the
7 reputation.

8 The change of the neighborhood
9 has been slow and at times very
10 difficult. In recent years, we have had
11 two children perish on our block in
12 separate instances of fire.

13 There has been no shortage of
14 research done and articles written about
15 the impact of gentrification on targeted
16 communities. In an article written by
17 Timothy Williams in a New York Times
18 article, it highlights the efforts of the
19 City of Philadelphia, Boston, New York,
20 Detroit, and other cities across the
21 nation to help citizens threatened by
22 gentrification.

23 In a one-year span, my property
24 taxes have quadrupled, from 1,200 to
25 \$4,300. My neighbors and I would like to

1 11/12/14 - FINANCE - BILL 140638, etc.
2 stay in our homes, be part of the
3 neighborhood. We're still low-income,
4 moderate-income families. We cannot
5 afford a 400 percent tax increase.

6 In the same article by
7 Mr. Williams of the New York Times, City
8 Council President Darrell Clarke said
9 that those that toughed it out should be
10 rewarded. My neighbors and I have
11 toughed it out. We need relief from
12 surging property taxes. It is incumbent
13 upon government to first protect its
14 citizens. You can do this by supporting
15 Councilman Johnson's bill.

16 The other thing I want to say
17 is, I was listening to the lady from the
18 City of Philadelphia, the Administration,
19 and I just wrote a couple of things down
20 that she said. She used the word
21 "balance," "value of the assessment,"
22 "pressure on the taxpayer." I have an
23 article here. It's real short. I'd like
24 to read it. It's talking about a family
25 that moved from Villanova into the City

1 11/12/14 - FINANCE - BILL 140638, etc.
2 of Philadelphia. He's a doctor, a
3 surgeon at the Pennsylvania Hospital, and
4 I'm just going to read this part. It
5 says, The program, which started with
6 residential conversions in 1997 -- and
7 when they're talking about the ten-year
8 tax abatement -- but expanded to new
9 construction in 2000, holds the tax
10 assessment at a property's
11 pre-development level for ten years.

12 The name of the family was the
13 Bars, and it says, For instance, they
14 paid 1,200 a year on property taxes
15 rather than the 12,000 they would pay
16 without the abatement on their \$1.1
17 million property, 2,600-square-foot,
18 three-bedroom, three-bath condo designed
19 by SHoP Architects of New York City.

20 One of the words that she said
21 was pressure on taxpayers. So I think
22 you get my point.

23 Thank you.

24 COUNCILWOMAN TASC0: Thank you
25 very much. I appreciate your testimony.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 I used to live down there at 19th and
3 Montrose. So I know that neighborhood
4 very well, and I believe the program
5 which both of you brought your houses --

6 MR. TAYLOR: Can I just say one
7 thing, ma'am? We all purchased under
8 PHDC. I think it's five neighbors on our
9 block, and it's called Philadelphia
10 Housing Development Corporation. You're
11 aware of that. And one of the things
12 that I couldn't understand was why it
13 wasn't some kind of communication between
14 the City of Philadelphia and Philadelphia
15 Housing Corporation to say, Hey, you
16 know, you got people that came in the
17 neighborhood, tried to make the
18 neighborhood better, stabilize.

19 I went to Philadelphia Housing
20 Corporation on several occasions just for
21 a letter supporting these families on my
22 block. I was basically told you're on
23 your own. I'm quoting the lady,
24 Ms. Gaskins, from PHDC. She told me
25 you're on your own. You're going to make

1 11/12/14 - FINANCE - BILL 140638, etc.
2 a nice profit when you sell.

3 It's not the reason I bought
4 the house. I mean, when we purchased
5 these houses, we didn't purchase them to
6 sell them and make profits. Like the
7 lady just said, you know, you expect to
8 die in your house. We're all first-time
9 home buyers. I'm just looking for some
10 balance here. That's one of the words
11 she said. And it seems that people --
12 the Mayor's Administration has no problem
13 giving tax breaks to Comcast, University
14 of Pennsylvania, building \$50 million
15 skating rinks, things like that. I mean,
16 we're just poor people that want -- we're
17 not saying we don't want to pay. We just
18 don't want to be killed.

19 The paper here from the City
20 Administration says that I received a tax
21 abatement for five years. I didn't even
22 receive a ten-year abatement when I
23 bought the --

24 COUNCILWOMAN TASCO: When you
25 bought the house.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 MR. TAYLOR: Yeah. When I
3 bought the property, it was worth 25,000.
4 I paid 37,000 for it, and like I said, it
5 was assessed at 343, I think, .5, 343.5,
6 which is more than new construction on my
7 block.

8 I'm looking for fairness, and I
9 appreciate you listening to my testimony.

10 Thank you.

11 COUNCILWOMAN TASCO: We thank
12 you for coming down, and as we remember,
13 those of us who have been here for a
14 number of years, the program was set up
15 to maintain neighborhoods and help people
16 buy properties where no one was coming in
17 to buy those properties and to rebuild
18 the community, because, like you said,
19 there were problems going on, and you
20 wanted to stay in that neighborhood, and
21 so that was the reason of the program.
22 Once you change Administrations, you get
23 different philosophy. So that's why you
24 have a Councilman that you have to count
25 on to make sure that we justify and right

1 11/12/14 - FINANCE - BILL 140638, etc.
2 these wrongs.

3 Thank you.

4 MR. TAYLOR: Yes.

5 COUNCILWOMAN TASCO: Gentleman,
6 sir, am I saying your name correctly?

7 MR. GLINIAK: Gliniak.

8 COUNCILWOMAN TASCO: Gliniak,
9 I'm sorry.

10 MR. GLINIAK: I have trouble
11 with it too.

12 Good morning, Chair Tasco, Vice
13 Chair Blackwell, and members of the
14 Committee of Finance. You have a copy of
15 the letter, but I'll go ahead and --

16 COUNCILWOMAN TASCO: Speak into
17 the mic.

18 MR. GLINIAK: Good morning.

19 COUNCILWOMAN TASCO: Can you
20 pull it over a little more, pull the cord
21 out.

22 MR. GLINIAK: You have a copy
23 of the letter, but I'm going to go ahead
24 and read it anyway.

25 I'm a low/moderate-income

1 11/12/14 - FINANCE - BILL 140638, etc.
2 homeowner as well on the 1900 block of
3 Carpenter Street on a fixed income living
4 in the Graduate Hospital Southwest Center
5 City area. I'm also a homeowner who was
6 denied LOOP because I got a so-called
7 abatement.

8 In 2002, I purchased my
9 subsidized affordable home from the
10 Philadelphia Housing Development
11 Corporation, an arm of the Office of
12 Housing and Community Development that
13 Alan just mentioned. This HUD-funded
14 affordable housing program called the
15 Home Start program was for first-time
16 homeowners in the low- to moderate-income
17 categories. Under guidelines set by the
18 City, soft liens were placed on each Home
19 Start home, which prohibits selling,
20 renting or refinancing for 15 years from
21 the date of purchase. My home has this
22 soft lien until January 2017. In this
23 program, my home also received a small
24 property tax reduction, or abatement as
25 it's being called now, by exempting

1 11/12/14 - FINANCE - BILL 140638, etc.
2 \$4,744 assessed improvement from my
3 \$25,000 market value. The resulting \$450
4 per year property tax reduction helped in
5 maintaining homeownership for these first
6 few years.

7 Today, however, under the
8 City's new AVI system, my 2014 property
9 taxes have increased from \$782 to \$4,119,
10 even with the homestead exemption. On my
11 fixed Social Security income, I simply
12 cannot afford this 427 percent increase.
13 And because my property is classified as
14 having received an abatement, I have been
15 denied LOOP. Moreover, and not because I
16 would want to, I am not allowed to sell,
17 rent or refinance for approximately
18 another two and a half years because of
19 the imposed soft lien from this Home
20 Start program.

21 I ask for your support and
22 passage of Ordinance 140638 extending
23 LOOP to abated low/moderate-income
24 subsidized affordable homes purchased
25 from the City or any other non-profit

1 11/12/14 - FINANCE - BILL 140638, etc.
2 agency. Passage of this bill would allow
3 me and others to remain in my home where
4 I have lived for the past 12 and a half
5 years without the threat of tax
6 delinquency or foreclosure.

7 I thank you for the opportunity
8 to speak today. And, again, as, Chair
9 Tasco, you said, this program was created
10 in the Office of Housing and Community
11 Development to stabilize neighborhoods
12 because nobody else at that time -- and
13 no disrespect to the people that have
14 lived there for decades -- to stabilize
15 and also improve the neighborhood. And
16 we did -- yes, we might have taken -- we
17 might have the benefit of one day selling
18 and making money, but that is not why we
19 moved there. We moved there because we
20 needed a home to live in and we believed
21 in the idea of homeownership, and to now
22 say, Okay, well, you did your part, that
23 neighborhood is great now, we're done
24 with you, you'll have to move, I just
25 don't feel that that was the intent when

1 11/12/14 - FINANCE - BILL 140638, etc.
2 they created HUD and they created the
3 funding for these type of programs. And
4 that's why I ask the Administration to
5 change their mind from opposing this bill
6 to supporting this bill.

7 Thank you very much for the
8 opportunity to speak.

9 COUNCILWOMAN TASCO: Thank you
10 very much.

11 Any questions of these
12 witnesses?

13 Councilman Greenlee.

14 COUNCILMAN GREENLEE: Just a
15 very quick comment. I think all the
16 witnesses that have come up have kind of
17 said it well, and I would respectfully
18 ask -- and I understand when Commissioner
19 Tolson came up she said about the ability
20 of the homeowners to sell this and make a
21 profit. As some have said, some can't
22 even do it now, but even if they want to,
23 and I know in area nearby where I live in
24 Francisville, these people don't want to
25 sell. They want to stay where they are.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 They put up maybe sometimes with some
3 tough times and now they want to stay
4 where they are, and I think we really
5 have to take the statement that they
6 could make money if they sell out of the
7 whole discussion, because that's not what
8 this is about and it shouldn't be what
9 it's about.

10 So I appreciate it, and I
11 appreciate everybody's comments on this.

12 Thank you.

13 COUNCILWOMAN BLACKWELL:

14 Councilwoman?

15 COUNCILWOMAN TASCO:

16 Councilwoman Blackwell.

17 COUNCILWOMAN BLACKWELL: Thank
18 you. I certainly agree with those
19 comments made. These awful stories are
20 not those we want to hear. Government is
21 supposed to serve, not take away, not
22 hurt people, and we're on the side of the
23 people. And it's really unconscionable
24 that we're going through these times.
25 The economy got worse and then people are

1 11/12/14 - FINANCE - BILL 140638, etc.
2 somehow supposed to, like Madeline
3 Shikomba said, let them eat cake, the
4 same thought process. But we agree.
5 Thank you all for taking time out of your
6 schedule.

7 (Thank you.)

8 COUNCILWOMAN TASC0: Most
9 properties in most neighborhoods increase
10 in value through the years. I moved on
11 Temple Road in 1969, paid \$13,000 for my
12 little house. When I sold it, I paid my
13 taxes based on the value that was
14 evaluated there, but when I sold it, I
15 made a profit. So, I mean, that's the
16 nature of the real estate business. So
17 that argument is not necessarily an
18 argument. But I know most people who
19 moved in those properties, as Mr. Gliniak
20 said, bought those properties in
21 neighborhoods that were not stabilized
22 and they were trying to stabilize those
23 properties. And a lot of them I know
24 want to stay in that community and live
25 there and raise their families. So I

1 11/12/14 - FINANCE - BILL 140638, etc.

2 think their argument is kind of weak.

3 Thank you. We have a couple

4 more.

5 Councilwoman Reynolds Brown.

6 COUNCILWOMAN BROWN: I'm

7 compelled to add my voice to this

8 dialogue and discussion, because when we

9 think about the minimum most of us want

10 as citizens is the piece of the American

11 dream, and the American dream equals

12 homeownership irrespective of our station

13 in life. So it's troubling for me that

14 we have citizens here who are doing the

15 right thing, who do want to stay, and

16 have to reckon with some of the -- some

17 might them irregularities, other will

18 call them inequities, some might say

19 unfairness that our government, rightly

20 or wrongly, the hurdles that you have to

21 overcome.

22 But to echo Councilmembers

23 Blackwell and Greenlee, Councilman

24 Kenyatta Johnson is about figuring it

25 out, and the good news is that too many

1 11/12/14 - FINANCE - BILL 140638, etc.
2 of us on this side of the table get it,
3 understand it, empathize with it from
4 just a humanitarian level and applaud you
5 for showing up and registering what you
6 live and breathe every day. It's our
7 responsibility to figure it out. So know
8 that we are about that.

9 Thank you very much for your
10 testimony.

11 (Thank you.)

12 COUNCILWOMAN TASC0: Thank you.

13 Alexia Daniels.

14 Is there anyone else here to
15 testify on this bill? You may come up
16 too.

17 (Witnesses approached witness
18 table.)

19 COUNCILWOMAN TASC0: Good
20 morning. Would you please state your
21 name for the record and proceed with your
22 testimony.

23 MS. DANIELS: Good afternoon.

24 My name is Alexia Daniels.

25 COUNCILWOMAN TASC0: Speak into

1 11/12/14 - FINANCE - BILL 140638, etc.
2 the microphone, please.

3 MS. DANIELS: Certainly. I
4 purchased my home through the
5 Philadelphia Housing Development
6 Corporation. When I made that decision,
7 it was based on being deemed eligible for
8 the property and based on my income.
9 Over the years -- initially -- I would
10 like to consider my neighbors pioneers of
11 that community, because when we initially
12 purchased our homes, the neighborhood was
13 plagued with violence and abandonment.
14 Over the years, the neighborhood has
15 changed significantly.

16 My home was vandalized
17 initially as well as I can recall an
18 incident where my family, we had to run
19 from gunshots. Over the years, the
20 neighborhood has significantly changed.
21 And I'm also -- I can say that I was
22 unemployed for two years. I've recently
23 regained employment a little over a year.
24 I'm still recovering from that and now
25 I'm being faced with the obstacle of

1 11/12/14 - FINANCE - BILL 140638, etc.
2 paying property tax which is four times
3 as much. My income remains the same.
4 I'm still low income. I'm a single
5 parent, and I'm also in the process of
6 adopting my nephew.

7 Now that the community has
8 significantly changed, my children are
9 able -- there's a playground, a workable
10 playground in the neighborhood, a park
11 where my children are able to play during
12 the day, but at night I'm up, unable to
13 sleep, trying to figure out how am I
14 going to be able to pay these property
15 taxes.

16 Currently I'm in a deficit
17 right now. I received a bill the
18 beginning of the year for the property
19 taxes. I'm in a deficit right now trying
20 to make ends meet to pay the property
21 taxes. I think we all know how the story
22 goes. You don't pay your property taxes,
23 the bank takes over your property.
24 Eventually you are forced out of your
25 home. I don't see any other option. I

1 11/12/14 - FINANCE - BILL 140638, etc.
2 don't have any family or friends that can
3 help assist me with a property that I
4 purchased based on my qualifications, my
5 hard work. I would hate to see the
6 ending result of me and my children being
7 forced out of our home into a shelter
8 with no other options. I urge City
9 Council today to review this bill and
10 please pass it.

11 Thank you for your time.

12 COUNCILWOMAN TASCO: Thank you
13 for your time coming down to testify.

14 Sir, would you state your name
15 for the record, please.

16 MR. MAJOR: Yes. My name is
17 Charles Major and I'm a longtime resident
18 of the South Philadelphia neighborhood.
19 I'd just like to make a few points.

20 I'm here in support of Bill
21 140717, and I'd like to thank the
22 Councilman, Councilman Kenyatta, my
23 Councilman, for introducing that bill. I
24 just have to say that I am a recipient of
25 the LOOP program, and my property taxes

1 11/12/14 - FINANCE - BILL 140638, etc.
2 would have went from \$800 to \$4,400 on a
3 block around the corner from the naval
4 home, which I owned and purchased in 1986
5 for like \$10,000, and my property taxes
6 would have been the highest property
7 taxes around there, although everybody
8 else has improved and built higher and
9 deeper and everything there.

10 But the reason I'm here is,
11 I've been a committee person for over 12
12 years in the 30th Ward, 17th Division
13 democratic, and it's always people that's
14 coming up to me that need support. For
15 example, I do do my own investing over
16 the years. I've just been fortunate.
17 But I was at a BRT hearing for a couple
18 properties last week and I've seen in the
19 BRT hearings people -- one lady from 21st
20 and Saint Alban, their family has been
21 there since my family has been on 21st
22 and Catharine, since 1958, and at that
23 hearing, they took this lady apart,
24 trying to lower her assessment, where
25 actually she qualified for LOOP, and the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 only reason they took her apart and they
3 didn't let her get into the LOOP program
4 is because of a deed that was made out in
5 1958 and family member after family
6 member after family member, like my
7 property on 21st and Catharine, it was
8 entangled. Family member, 1958, my
9 grandparents bought it, and my mother
10 owned it. We lived in it. We still own
11 it, and the property was just transferred
12 in the last few years, but that property
13 doesn't qualify for LOOP.

14 But what I'm saying is, I seen
15 that lady. I seen a lady at 23rd and
16 Fitzwater on the corner who was there,
17 and these are young people who don't know
18 which way to go, but they do qualify for
19 the LOOP because the house has never been
20 transferred. They're taking care of the
21 property. They pay the taxes on the
22 property. They can show that they've
23 been maintaining the property for all
24 those years or sometimes in many cases,
25 like my mother on 21st and Catharine, I

1 11/12/14 - FINANCE - BILL 140638, etc.
2 took care of her and paid the property
3 taxes, although, once again, that
4 property doesn't qualify for LOOP.

5 So I'm here on the behalf of
6 people like that. And I just want to say
7 one thing, because I was going to call
8 the Councilman. During the recess during
9 the BRT hearing when they go back and to
10 come back with your results, it wasn't a
11 lot of people in the room left, and one
12 of the guys from the AVI who sits down
13 here said something to the other guy in
14 earshot of me that if they can't afford
15 it, they should sell it. They can't
16 afford the taxes, they should sell it.
17 And I said to the guy, because I'm not
18 bashful, Do you see me sitting here? Do
19 you really see me sitting here? I mean,
20 do you really feel that's something to
21 say about people? We are here because we
22 live here. We are not here to sell
23 properties. We're not interested in
24 selling properties. I know I'm not
25 interested in selling my parents'

1 11/12/14 - FINANCE - BILL 140638, etc.
2 properties, but this is the kind of
3 sensitivity that we get from that and
4 this is the kind of fight that we have to
5 go against. And, once again, Councilman,
6 thank you for introducing the bill.

7 COUNCILWOMAN TASCO: Thank you
8 very much for your testimony. I
9 appreciate it.

10 Young lady.

11 MS. JOHNSON: Thank you. Good
12 afternoon to you all. I just wanted to
13 say a few things. Number one, I
14 purchased --

15 COUNCILWOMAN TASCO: Tell me
16 who you are first, please.

17 MS. JOHNSON: I'm so sorry. I
18 forgot. I jumped all over top of that.
19 Laverne Johnson. I live at 22nd and
20 Montrose, been in the neighborhood all of
21 my life, 59 years. I can just go so many
22 directions. I'm just trying to get lined
23 up and get focused.

24 I purchased my house back in
25 the '90s, extremely proud to have done

1 11/12/14 - FINANCE - BILL 140638, etc.
2 that on my own and, you know, hard work,
3 that type of thing, low/moderate income,
4 whatever. I just want to say, in all due
5 respect, that the American dream is now
6 becoming an American nightmare. It
7 really, really has. And I'm not saying
8 that with any negativity or whatever, but
9 that's just what it feels like to me when
10 I heard different stories from different
11 people, because I also represent a
12 non-profit organization, PENTA, and we
13 tried to help the neighbors. They came
14 to us. They still coming to us about the
15 hearings, the assessments. They do not
16 understand what in the world has been
17 going on. They're in a whirlwind. They
18 really, really are.

19 As simple as -- I got on the
20 City website yesterday and they took time
21 word for word and explained what real
22 property meant. That was the first time
23 I really heard that, but it was real
24 property. They explained what that was.
25 But people are confused. They still are.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 They don't know what to do. They're
3 scared to death and don't know what to
4 do, and I hear it repeatedly and
5 constantly and over and over.

6 So I would like just to implore
7 you to look deep in your hearts and
8 support this bill. Help these people.
9 These people need help, including
10 ourself.

11 I am disabled. I don't look
12 like it, but I am legally disabled and I
13 can't go back to work, so my income is
14 where it is. My taxes has gone from,
15 what, 700-some dollars to \$2,300 now.
16 I've never ever, ever had to make an
17 arrangement to pay my taxes, but the way
18 it seems, I might have to be making some
19 arrangements to pay my taxes so that I
20 can keep my house.

21 So I really implore you just to
22 look deep down in there and understand
23 that our Councilman is trying to bring
24 some help, and we need the rest of you 16
25 to get on board with him and help him

1 11/12/14 - FINANCE - BILL 140638, etc.
2 pass this bill. We need it so very much,
3 so very much.

4 Thank you so much.

5 COUNCILWOMAN TASCO: Thank you
6 very much.

7 Any comments or questions?

8 Councilman Johnson.

9 COUNCILMAN JOHNSON: I just
10 want to thank all the individuals who
11 came to testify in support of this bill,
12 and I will continue to advocate
13 aggressively to make sure that those who
14 are longtime residents -- and we support
15 development, but at the end of the day,
16 we want to make sure it's not at the
17 expense of individuals who live in the
18 communities all their lives, individuals
19 who have a major stake in the communities
20 that I represent throughout the 2nd
21 Councilmanic District.

22 What makes this advocacy
23 personal for me is the majority of people
24 who I am helping, the majority of people
25 who I do run into who are having issues

1 11/12/14 - FINANCE - BILL 140638, etc.
2 are people I grew up with. So it's like
3 life going 360 for me. I'm probably one
4 of the few individuals who grew up in the
5 neighborhood, who became the State
6 Representative of the neighborhood in
7 which I grew up in, who became the
8 Councilperson in the area in which I grew
9 up in. And so a lot of these issues are
10 very personal, because at the end of the
11 day, I know the people are being
12 significantly impacted, and we'll
13 continue to advocate.

14 I want to ask for my colleagues
15 to be supportive of both bills. On the
16 one that deals with -- and I like Madam
17 Shikomba's terminology, subsidy versus an
18 abatement, because it totally puts the
19 conversation in a totally different
20 context. Not talking about a person with
21 a market-rate home with an abatement.
22 Talking about a subsidized housing
23 program which an individual may not have
24 received a ten-year subsidy, but some in
25 this case received a five-year. And so

1 11/12/14 - FINANCE - BILL 140638, etc.
2 we will have that further discussion with
3 the Administration, but we're moving
4 forward on both bills today as is.

5 (Thank you.)

6 COUNCILWOMAN TASC0: Thank you
7 all very much.

8 Is there anyone else here to
9 testify on these bills, 140638 and
10 140717?

11 (No response.)

12 COUNCILWOMAN TASC0: There
13 being no further witnesses, we will
14 adjourn the public hearing and go into
15 the public meeting.

16 The Chair recognizes Councilman
17 Kenyatta Johnson regarding Bill 140638.

18 COUNCILMAN JOHNSON: Thank you,
19 Madam Chair. I'd like to make a motion
20 that Bill 140638 be moved out of
21 Committee with a favorable recommendation
22 and the rules of Council be suspended so
23 that it will be read at Council's next
24 session.

25 (Duly seconded.)

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILWOMAN TASCO: It has
3 been moved and seconded that Bill 140638
4 be moved out of Committee with a
5 favorable recommendation and that the
6 rules of Council be suspended so this
7 bill can be heard at Council's next
8 session.

9 All in favor?

10 (Aye.)

11 COUNCILWOMAN TASCO: Is there
12 any opposition?

13 (No response.)

14 COUNCILWOMAN TASCO: There
15 being none, this motion is carried.

16 Now, we have an amendment to
17 Bill 140717. The amendment has been
18 circulated. I call on Councilman
19 Kenyatta Johnson to move the amendment.

20 COUNCILMAN JOHNSON: I'd like
21 to make a motion that the amendment to
22 Bill 140717 be adopted.

23 (Duly seconded.)

24 COUNCILWOMAN TASCO: Thank you.

25 All in favor of adopting the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 amendment will say aye.

3 (Aye.)

4 COUNCILWOMAN TASC0: Any
5 opposition?

6 (No response.)

7 COUNCILWOMAN TASC0: There
8 being none, the amendment is adopted.

9 The Chair calls on Councilman
10 Kenyatta Johnson to move Bill 140717, as
11 amended, out of Committee.

12 COUNCILMAN JOHNSON: I make a
13 motion that Bill 140717, as amended, be
14 moved out of Committee with a favorable
15 recommendation to be read at the next
16 Council session and the rules of Council
17 be suspended.

18 (Duly seconded.)

19 COUNCILMAN JOHNSON: All those
20 in favor?

21 (Aye.)

22 COUNCILWOMAN TASC0: So be it.
23 Bill 140717, as amended, will be moved
24 out of Council as proposed.

25 All in favor?

1 11/12/14 - FINANCE - BILL 140638, etc.

2 (Aye.)

3 COUNCILWOMAN TASC0: Any

4 opposition?

5 (No response.)

6 COUNCILWOMAN TASC0: There

7 being none, the motion is carried.

8 Okay. Now we're done with

9 that. We'll go back into the public

10 hearing and now we're ready to hear

11 testimony on Resolution 140500. This is

12 a resolution. There will be no vote on

13 this resolution, but is a discussion of a

14 proposal.

15 So the Committee now calls on

16 Commissioner Clarena Tolson or someone

17 from Revenue.

18 (Witnesses approached witness

19 table.)

20 COMMISSIONER TOLSON: I'm

21 sorry, Councilwoman.

22 COUNCILWOMAN TASC0: Good

23 afternoon.

24 COMMISSIONER TOLSON: Good

25 afternoon.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILWOMAN TASCO: Would you
3 state your name for the record, please.

4 COMMISSIONER TOLSON: Good
5 morning, Chairwoman Tasco and members of
6 the Committee on Finance. My name is
7 Clarena Tolson. I am Chief Collection
8 Officer for the City of Philadelphia.
9 With me is Deputy Commissioner Frank
10 Breslin, the head of our Tax Bureau, and
11 also Mr. Frank Paiva, P-A-I-V-A, who is
12 our chief counsel and head of the Law
13 Bureau.

14 I am here to testify on
15 Resolution 140500 regarding the
16 collection of delinquent taxes owed to
17 the City of Philadelphia and the use of
18 third-party collection agencies,
19 introduced by Councilman Squilla. We've
20 made tremendous progress in Fiscal 2014
21 in collecting past due taxes, bringing in
22 more than \$100 million in past due real
23 estate taxes, the first time that number
24 has exceeded that level. In Fiscal Year
25 2014, we collected \$909 million for the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 School District, \$16 million more than
3 had been budgeted.

4 We are proud of that progress,
5 having been made possible through
6 legislative changes and budgetary
7 allocations by this body, and we are
8 continuing this momentum to ensure
9 everyone pays their fair share for
10 schools and City services.

11 The City of Philadelphia
12 collected \$4.3 billion in Fiscal Year
13 2014 in taxes, water and sewer charges
14 and other fees. If we were a private
15 company, this level of revenues would
16 place us on the Fortune 500 list, ranking
17 higher than Sunoco, Yahoo, and
18 Tupperware.

19 Our employees strive to ensure
20 that everyone pays their fair share.
21 This means collecting from all who owe
22 the City and making sure that those in
23 need of financial assistance are getting
24 it and keeping their bills manageable.
25 We are creating a culture of compliance,

1 11/12/14 - FINANCE - BILL 140638, etc.
2 sending strong messages that the City of
3 Philadelphia cannot subsidize businesses
4 and individuals at the expense of
5 children and citizens.

6 We have made tremendous
7 progress, and I will share with you how
8 we've done that, but a significant
9 challenge remains. This problem was not
10 created in a year or even the past decade
11 and cannot be solved overnight, but we
12 are putting into place programs and tools
13 that will change the revenue collections
14 landscape for decades to come.

15 On behalf of the School
16 District, we collected over \$90 million
17 in prior year taxes. This is more than a
18 \$25 million increase compared to the
19 previous year. It is also 25 million
20 more than what was collected when the
21 City held a tax amnesty to encourage
22 those that filed and pay to become
23 compliant. With the right tools, staff,
24 partners, and resources we can make a
25 significant impact.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 The story is similar with
3 respect to the General Fund with real
4 estate tax delinquent collections
5 increasing from 35 million in Fiscal 2013
6 to 48 million in 2014 and wage, earnings,
7 and net profits delinquent collections
8 more than doubling the year before.

9 At the end of September 2014,
10 there was \$351 million in delinquent tax
11 principal outstanding. Water customers
12 owed 248 million in water and sewer
13 charges, including interest and penalties
14 and current month billings.

15 There are three key steps in
16 collecting these delinquent debts.
17 First, we must identify the debtor and
18 make them aware of their obligations to
19 the City and School District. Revenue
20 staff and external partners use data
21 analysis and investigations to find out
22 who has filed their tax but underpaid or
23 never paid at all, as well as uncovering
24 who hasn't registered their business with
25 the City. This year we used state and

1 11/12/14 - FINANCE - BILL 140638, etc.
2 federal data to identify new school
3 income tax filers and those underpaying
4 their liquor tax. This analysis, coupled
5 with collection activities, resulted in a
6 \$10 million increase in school income tax
7 receipts, with delinquent collections
8 jumping from \$1.2 million in Fiscal 2013
9 to \$7 million in Fiscal '14. We
10 uncovered 50 accounts that had never
11 registered with the City for liquor tax
12 accounts but should have and 700 liquor
13 taxpayers that had either failed to file
14 or underreported their sales. They have
15 been billed \$9 million.

16 The second step in delinquent
17 collection is to determine the amount
18 due. This may be as easy as comparing
19 what has been paid against the amount
20 billed or reported by the taxpayer or as
21 complex as visiting the taxpayer and
22 reviewing their operation to determine
23 what's due. This year we partnered with
24 outside experts to better understand what
25 parking tax revenues we should expect.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 This involved teams in the field
3 capturing parking lot capacity,
4 occupancy, and rates to enable accurate
5 assessments. We found that 90 percent of
6 parking lots are properly registered and
7 reporting their revenue and tax due
8 accurately.

9 Finally, we must apply tactics
10 that will most efficiently induce
11 payment. Some accounts will pay as soon
12 as they are aware of their debt. Others
13 require more nudging. The goal is to
14 obtain payment as quickly and efficiently
15 as possible. To do this, we allocate
16 debts to different enforcement paths.

17 Of the tax debts, close to 30
18 percent do not require enforcement
19 because it is either in payment
20 agreements, in bankruptcy, under appeal
21 or has been established within the last
22 90 days. Of the remaining debt, we use a
23 combination of internal staff,
24 co-counsel, and outside collection
25 agencies to pursue the delinquencies.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 Tools we use to collect taxes
3 includes our commercial activity license
4 revocation program, which allows us to
5 close businesses that fail to meet their
6 obligations, and the sequestration
7 program where a court-appointed receiver
8 collects rents from tenants and uses the
9 funds to repay tax debts. These two
10 programs, new in 2014, generated more
11 than \$30 million in collections. We have
12 also increased the use of the Sheriff
13 Sale process.

14 Our most recently added tool is
15 the eCollect system for bounced checks.
16 Historically when a person submits a
17 check to the City that is denied for
18 insufficient funds, it was re-presented
19 to the bank without knowing whether the
20 account had funds in it. Now with an
21 outside vendor, checks are re-presented
22 when funds are actually in the account.
23 Although only piloted in the past two
24 weeks, we are already seeing a higher
25 percentage of bounced checks eventually

1 11/12/14 - FINANCE - BILL 140638, etc.
2 clearing and in a much shorter period of
3 time. This helps the City and taxpayers
4 who will avoid multiple bounced check
5 charges from their bank.

6 It is because of these new
7 tools and tactics that the City has been
8 able to reduce delinquency. Between the
9 end of 2013 and 2014, tax delinquency
10 declined by 23 million, from 397 million
11 to 374 million. This progress is even
12 more impressive when you account for the
13 open real estate tax balances related to
14 ongoing assessment appeals at that time.
15 Property owners were permitted to pay the
16 prior year's tax until the appeal is
17 settled, and any difference between that
18 amount and the 2014 bill is included in
19 the 2014 ending delinquency figure of
20 \$374 million.

21 To sustain our momentum and
22 build on the successes of Fiscal 2014,
23 the Department of Revenue is making major
24 technology investments to improve our
25 ability to target the right enforcement

1 11/12/14 - FINANCE - BILL 140638, etc.
2 strategy at the right account. We are in
3 the final contract negotiations for a
4 data warehouse and collections case
5 management system. The data warehouse
6 will contain tax and water debt
7 information as well as other city, state,
8 and federal data sets. It will enable
9 matching and linkages amongst them. This
10 will represent a quantum leap forward in
11 identifying who owes the City and School
12 District money and how best to target
13 them. As we build up a history of debt
14 and payment information, the system will
15 be able to score accounts, predicting the
16 likelihood of payment and the most
17 effective enforcement tool to use.

18 The case management system will
19 allow tremendously improved tracking of
20 collection efforts on an account-level
21 basis. It will automate certain tasks
22 such as triggering of a letter to a
23 debtor or moving a case to the most
24 appropriate enforcement path.

25 Not only do we expect these

1 11/12/14 - FINANCE - BILL 140638, etc.
2 systems to start producing results as
3 quickly as 90 days after project start,
4 but the \$7.5 million cost will only be
5 paid to the vendor if and when
6 collections increase above a certain
7 baseline level.

8 Even before the data warehouse
9 and case management systems come online,
10 we will be doing more. We will be doing
11 more matches against IRS data to identify
12 non-filer and underreporting taxpayers.
13 We have recently signed on to the
14 Federation of Tax Administrators data
15 exchange agreement, allowing us to access
16 the Revenue Department data of cities and
17 states around the nation, which will
18 improve the efficiency and accuracy of
19 our audits. Last week we began a study
20 with university researchers to determine
21 if different types of messages on
22 delinquent bills lead to different
23 payment patterns. We will also look to
24 prevent delinquency before it happens and
25 help people to get back on track that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 have fallen behind by increasing
3 participation in our discount and payment
4 plan options for low-income homeowners
5 and water customers. We are working with
6 elected officials, community partners,
7 officers of the court and others to help
8 people access programs to keep their tax
9 and water bills affordable. A
10 cross-departmental team with members of
11 the Department of Revenue, the Office of
12 Property Assessment, the Managing
13 Director's Office, the Mayor's Office,
14 OIT, and the Office of Community
15 Empowerment and Opportunity applied for
16 and was selected from a pool of
17 competitor cities for technical
18 assistance and support from the Living
19 Cities grant to increasing enrollment in
20 assistance programs.

21 With the right people,
22 technology, and partners, the Department
23 of Revenue will be able to continue to
24 reduce all outstanding debts owed to the
25 City and School District and ensure that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 everyone pays their fair share in the
3 future. The Department of Revenue and
4 everyone that relies upon City services
5 and the School District appreciates
6 Council's attention and support to these
7 collection efforts.

8 I'd like to share with Council
9 a few maps that may be helpful and a
10 chart. Actually, we'll hold the maps
11 right now. We'll share a few charts, if
12 you would, Mr. Sergeant-At-Arms.

13 COUNCILWOMAN TASCO: The Chair
14 recognizes Councilman Squilla.

15 COUNCILMAN SQUILLA: Do you
16 want to explain these charts?

17 COMMISSIONER TOLSON: Yes.
18 Yes. I'll just take one moment to do
19 that. I know I went quickly through the
20 testimony, but I just want to share some
21 data that I think could be helpful. This
22 gives a quick summary, in a sense, of
23 what was presented.

24 On the second page, you'll get
25 a sense from the pie chart at the top of

1 11/12/14 - FINANCE - BILL 140638, etc.
2 how much money is collected, nearly \$4.3
3 billion in Fiscal '14, and how it is
4 allocated across water services, City
5 services, and the School District. As
6 was mentioned, \$909 million was collected
7 for the first time ever for the School
8 District.

9 You also see from the bottom
10 chart the -- as it says, despite the
11 downturn in the economy in 2009, there's
12 been a significant increase in our
13 collections.

14 The next page, the chart at the
15 top will show you that for General Fund
16 collections, while we were budgeted at
17 \$2.78 billion, collection at \$2.82
18 billion were the actuality for Fiscal
19 '14, as well as giving you a breakout by
20 tax type in the bottom chart.

21 I think even more interesting
22 is the next page that talks about the
23 School District. It's titled School
24 District of Philadelphia Total
25 Collections. You will remember that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 there was an additional \$28 million that
3 had been budgeted -- or not budgeted; had
4 been added to the target for collections
5 for the School District across '13 and
6 '14. In actuality, we collected nearly
7 \$910 million for the School District,
8 over the \$894 million that had been
9 budgeted and well past the \$872 million
10 that had been actually collected the year
11 prior.

12 You will note the increases for
13 all the SIT, liquor, and U&O taxes.
14 These four taxes are the four taxes that
15 are attributed to the School District.

16 The next page talks about
17 delinquent collections for the School
18 District. The first panel shows that
19 total collections in '14 at a little over
20 \$91 million. You'll note something that
21 I think is relevant that when we had the
22 tax amnesty, which I believe was in May,
23 started in May of 2010, there's a note
24 here about where that started, that our
25 activities and efforts produced much more

1 11/12/14 - FINANCE - BILL 140638, etc.
2 in '14 than even the tax amnesty program.
3 One of the problems and challenges with
4 the tax amnesty program is that people
5 pay one time, but then they oftentimes
6 fall off, and this effort is something
7 that won't be sustainable what we're
8 going through right now.

9 The next chart looks at the
10 General Fund prior year collections,
11 again, over time looking at real estate
12 in the green space and how that
13 delinquency collection has fared and the
14 dark blue space being the other big
15 taxes, wage, earnings, and net profits.

16 And the last table is just
17 simply showing where our overall
18 outstanding debt, how it has declined
19 over the last -- certainly over the last
20 year, but over the last three years.

21 COUNCILWOMAN TASCO: The Chair
22 recognizes Councilman Squilla.

23 COUNCILMAN SQUILLA: Thank you,
24 Chairwoman.

25 I really, really, really

1 11/12/14 - FINANCE - BILL 140638, etc.
2 appreciate what has been done up to this
3 point. It's an amazing fact that we see
4 here of collections and how the increases
5 have been attained through your efforts,
6 and to me this is great for the City of
7 Philadelphia, it's great for the School
8 District, and it's great for the
9 taxpayers.

10 Now that we have that, we
11 have -- the current taxes seem to be
12 really coming in at a high rate and the
13 delinquent taxes that you collected.
14 What is the percentage of taxes that are
15 delinquent that are three years or more,
16 older than three years, and less than
17 three years? Do you have that figure?

18 COMMISSIONER TOLSON: Yes. Our
19 three-year collection rate is over 95
20 percent.

21 COUNCILMAN SQUILLA: So you're
22 collecting at over 95 percent of
23 delinquent taxes that are three years or
24 less?

25 COMMISSIONER TOLSON: Within

1 11/12/14 - FINANCE - BILL 140638, etc.
2 three years, yes.

3 COUNCILMAN SQUILLA: Within
4 three years. And what is it after the
5 ones that are older than three years?

6 COMMISSIONER TOLSON: One
7 moment, sir. I'm getting the table out.

8 At four years, the number goes
9 to 97.5 and at ten years 99.9.

10 COUNCILMAN SQUILLA: You
11 collect 99 percent of all delinquent
12 taxes that are ten years or older?

13 COMMISSIONER TOLSON: Yes.

14 COUNCILMAN SQUILLA: So that
15 means we have none left?

16 COMMISSIONER TOLSON: No,
17 absolutely not, sir.

18 COUNCILMAN SQUILLA: Oh, okay.
19 What is our total delinquency at this
20 point? I know we have a different set of
21 numbers. Everybody throws out numbers,
22 500 million, 600 million, 300 million.
23 What is our total delinquency?

24 COMMISSIONER TOLSON: One
25 moment, sir.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 I assume you're talking about
3 real estate? Our delinquency for real
4 estate, our total principal for all years
5 is \$194 million.

6 COUNCILMAN SQUILLA: A hundred
7 and ninety-four million. And I know --
8 the interest and penalty there is not
9 part of this calculation, correct?

10 COMMISSIONER TOLSON: That's
11 correct.

12 COUNCILMAN SQUILLA: Now, are
13 we actually going after the interest and
14 penalty also or is that where you sort of
15 make your --

16 COMMISSIONER TOLSON: Well,
17 I've defined it here as the principal
18 only because the interest and penalty is
19 sometimes a negotiated item. So I have
20 not included it in the total that I've
21 given you.

22 COUNCILMAN SQUILLA: Now, when
23 you include the water liens, gas liens,
24 what does that number go to?

25 COMMISSIONER TOLSON: We don't

1 11/12/14 - FINANCE - BILL 140638, etc.
2 have gas liens, but our water
3 delinquency, I'll tell you that in one
4 moment, sir.

5 I have the number. I just want
6 to pull up the right one and not give you
7 the incorrect information.

8 I'm sorry. I mixed up
9 something. I'm sorry. I just gave you
10 the real estate number. It was actually
11 the water number.

12 COUNCILMAN SQUILLA: A hundred
13 and ninety-four million dollars is water?

14 COMMISSIONER TOLSON: Is water.
15 I apologize for that.

16 COUNCILMAN SQUILLA: That
17 sounded awful low. I was kind of excited
18 there.

19 COMMISSIONER TOLSON: It threw
20 me as well, but I just wanted to get
21 clarification. One of the downsides to
22 needing glasses and having lots of
23 numbers, and sometimes you look quickly,
24 and you need to take a moment.

25 For real estate, the total due

1 11/12/14 - FINANCE - BILL 140638, etc.
2 for all years would be \$240 million.

3 COUNCILMAN SQUILLA: That's
4 for --

5 COMMISSIONER TOLSON: For all
6 years.

7 COUNCILMAN SQUILLA: So
8 combined that's less than 400 million.
9 Well, 435.

10 COMMISSIONER TOLSON: Yes.

11 COUNCILMAN SQUILLA: If you
12 were to include interest and penalties,
13 does that number dramatically go up?
14 Correct?

15 COMMISSIONER TOLSON: Yes. If
16 you were to include interest and penalty
17 for real estate taxes, the number would
18 go to \$284 million.

19 COUNCILMAN SQUILLA: An
20 additional 284 million?

21 COMMISSIONER TOLSON: No. It
22 would go to \$284 million.

23 COUNCILMAN SQUILLA: So there's
24 only 4 million in interest and penalties
25 that's tacked on to that?

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COMMISSIONER TOLSON: Yes.

3 COUNCILMAN SQUILLA: Those
4 numbers seem awful low compared to --
5 where are these numbers coming from?

6 COMMISSIONER TOLSON: I'm
7 sorry. Where do the numbers come from?

8 COUNCILMAN SQUILLA: Yes,
9 compared to our previous numbers that
10 we've had.

11 COMMISSIONER TOLSON: One
12 second, sir. Let me just make sure I'm
13 reading properly. Hold one second,
14 please.

15 Councilman, the active list --
16 when I say "active," the ten years or
17 less -- is 215 and the inactive is 68.

18 COUNCILMAN SQUILLA:
19 Sixty-eight million is what's
20 uncollectible?

21 COMMISSIONER TOLSON: Older
22 than ten years.

23 COUNCILMAN SQUILLA: Over ten
24 years is 68 million. And less than ten
25 years was?

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COMMISSIONER TOLSON: Two
3 fifteen.

4 COUNCILMAN SQUILLA: And right
5 now do we write off any of this right
6 now? I know we're not including some of
7 the numbers, but do we write off anything
8 after a certain time or is that
9 something -- I know you said you were
10 working on that when we had discussed
11 this.

12 COMMISSIONER TOLSON: Yes.
13 Various taxes require various treatments.
14 With regard to real estate, which I think
15 is the main point of discussion here, at
16 times there may be a write-off due to
17 settlements either through court or
18 negotiated internally with our counsel.

19 COUNCILMAN SQUILLA: Would we
20 be open to having a third-party person
21 look at our numbers and our books to go
22 over what can be gained from the money
23 that's still outstanding and maybe which
24 should be washed off the books?

25 COMMISSIONER TOLSON: I

1 11/12/14 - FINANCE - BILL 140638, etc.
2 certainly think that we're open to
3 processes that would allow that. I
4 should also add the other parts of what
5 maybe use the term "written off" would be
6 properties that have government owned
7 which may have been charged -- assessed a
8 tax in error and then we have to
9 subsequently take it off until we get the
10 classifications changed so they're
11 probably labeled as exempt and then not
12 taxed.

13 COUNCILMAN SQUILLA: Because I
14 think part of this is the confusion based
15 on what is really owed, how much money is
16 out there. Every year, every hearing we
17 hear different numbers and amounts, and
18 it would be nice to have somebody just
19 come in and say that -- not that their
20 numbers are going to be any different or
21 more accurate than ours, but just to have
22 somebody come in there and say, This is
23 what's on the books, they say we owe \$450
24 million, really out of that \$450 million
25 there's only 200 million that can be

1 11/12/14 - FINANCE - BILL 140638, etc.
2 collected or owed. Because, I mean, we
3 have some non-profits that were taxed
4 that supposedly aren't supposed to be
5 taxed. We have some City-owned and
6 government properties that when we go to
7 sell and say how can we have a City-owned
8 property that has liens against them. So
9 we have to then clear all those off also.
10 And I think it would be nice -- I mean,
11 the job that you're doing is tremendous
12 and what has been done is really a great
13 service to the City, but I think at this
14 point now that we reached that point, we
15 may need additional help to getting to
16 the final stage of cleaning everything
17 up. And if we could get those numbers
18 where people now know that every citizen
19 is paying their fair share, I think it
20 will do a lot of credit to us as the City
21 of Philadelphia. I know myself and my
22 office has known that you have actually
23 been going after a lot of these folks,
24 because we get calls from the people who
25 didn't pay and now have to work with you

1 11/12/14 - FINANCE - BILL 140638, etc.
2 and come up with a payment plan to make
3 that happen. So it's a great credit to
4 what you have accomplished. But knowing
5 that you're able to or maybe consider
6 working with another agency to actually
7 come in and see how it's done, maybe best
8 practices in other municipalities, what
9 we could do to forward that.

10 I know there was some
11 discussion -- and maybe we could ask some
12 of the other people who are going to
13 testify -- about the tax lien sale sort
14 of that we had back under the Rendell era
15 and how that would affect the tax sales
16 or an arrangement if we do something
17 different this time and what may be the
18 difference in that.

19 COMMISSIONER TOLSON:
20 Councilman, I would share that I think
21 sometimes part of the confusion is the
22 lack of understanding about what is
23 included in the delinquency. And I think
24 that I certainly have a team of experts
25 around me. The folks who are sitting at

1 11/12/14 - FINANCE - BILL 140638, etc.
2 the table with me as well as those behind
3 me are very well versed, and I think that
4 one of our challenges is to better
5 articulate what's different. So when I
6 share numbers today about delinquency, I
7 am not including government-owned
8 properties that we know should not be
9 included in the assessment and they are
10 not delinquent and they are not part of
11 what we're going after. It does not
12 include properties that are in active
13 payment agreements. We're not -- there's
14 no interest in taking those to Sheriff
15 Sale or pursuing some other type of
16 action on them in terms of being a
17 delinquent. I guess technically someone
18 could say that they are delinquent
19 because they have not paid. However,
20 when considering the appropriate action
21 upon those properties, we believe that
22 when people are actively paying towards
23 their property in an agreement that the
24 City has made with them, that we're not
25 including those type of property in our

1 11/12/14 - FINANCE - BILL 140638, etc.
2 delinquency, and those are very, very
3 significant.

4 COUNCILMAN SQUILLA: And I
5 agree, and I think that's important too,
6 because we do not want to -- the
7 homeowner and the residential person who
8 has made an agreement with the City and
9 paying those taxes, we want to be able to
10 work with them to do that. This more or
11 less goes after -- and hopefully the
12 people who are multiple homeowners or own
13 properties throughout the City of
14 Philadelphia who decide for whatever
15 reason that they could skirt or skate us.
16 And I think what you've done is
17 commendable and always looking for better
18 opportunities to come. And I think the
19 clarification of putting the total owed
20 to the City of Philadelphia, how much is
21 in payment plans, how much is not
22 collected, how much is in government,
23 because that should be zero. If it's a
24 government-owned building, it shouldn't
25 be accruing tax delinquency. So we need

1 11/12/14 - FINANCE - BILL 140638, etc.
2 some help there to go through that.
3 That's a lot of work.

4 COMMISSIONER TOLSON: That's
5 what we're doing. Actually, that's
6 Mr. Paiva's number one project, outside
7 of his other number one projects. Right
8 now he's in the process of cleaning up
9 all of the government accounts. It's
10 something that we recognize is a problem
11 and we are working to address it.

12 There's a lot that has to go on
13 administratively programming-wise to
14 support doing exactly what you're saying,
15 and we recognize that and we are doing it
16 right now. It just takes time to handle
17 all the processes to make it happen. But
18 that's why we can get down to some
19 numbers that in addition to better
20 working with our enforcement, but to
21 better also reflect or more properly
22 reflect what it is -- where we need to
23 place our resources and where we need to
24 pursue collection efforts.

25 COUNCILMAN SQUILLA: And do we

1 11/12/14 - FINANCE - BILL 140638, etc.

2 currently now have any outside agencies
3 or firms helping us with those numbers?

4 COMMISSIONER TOLSON: Yes. We
5 have a significant amount of outside
6 support. We have outside collection
7 agencies that assist us and we also have
8 what we call co-counsel. There are law
9 firms that are working with us to collect
10 on our real estate.

11 We could not do our jobs
12 without the support of outside counsel
13 given the largesse and the complexity of
14 the problem. So for some time now, we
15 have been working with support.

16 COUNCILMAN SQUILLA: Okay.
17 Great. Thank you.

18 COUNCILWOMAN BLACKWELL: Are
19 there other questions?

20 Councilman Henon.

21 COUNCILMAN HENON: Thank you,
22 Madam Chair.

23 I don't know if it's morning or
24 afternoon, but hello.

25 COMMISSIONER TOLSON: Good day

1 11/12/14 - FINANCE - BILL 140638, etc.
2 to you as well.

3 COUNCILMAN HENON: So it seems
4 like -- and I think the focus and
5 priority has been with the new leadership
6 of City Council here and its members have
7 been focusing in on tax delinquencies,
8 especially when we're -- we moved towards
9 AVI and the full implementation of real
10 assessment of our properties, and we're
11 still, as you witnessed today, we're
12 still trying to work out some of the
13 protections for our citizens, and
14 rightfully so. So I think our Council
15 and this body has done an incredible job
16 in making sure that fairness throughout
17 the City is in proper place. And I'm
18 happy to hear and see over the last
19 several years that we are prioritizing
20 our tax delinquencies, because it is
21 about fairness. And I just want to
22 rehash maybe some of our last couple
23 budget seasons.

24 How much did we allocate for a
25 new system over in the Revenue Department

1 11/12/14 - FINANCE - BILL 140638, etc.
2 for tax delinquencies? Was it like \$50
3 million?

4 COMMISSIONER TOLSON: For all
5 the new systems --

6 COUNCILMAN HENON: Forty
7 million dollars over the Five Year Plan?

8 COMMISSIONER TOLSON: It's
9 approximately 40. I can get the number
10 for you to be exact, because it's a
11 combination of Capital and General Fund
12 dollars.

13 COUNCILMAN HENON: And where
14 are we with that, with those allocations
15 as far as making our process more
16 efficient and better? Because it seems
17 like we're heading in the right
18 direction. We have a new call center
19 online. Do we have -- is the office data
20 warehouse, is that up and running or is
21 that still in the design phase? What are
22 some of those timelines?

23 COMMISSIONER TOLSON: Surely.
24 The cashiering system should be live come
25 January of this year. We're expecting

1 11/12/14 - FINANCE - BILL 140638, etc.
2 great things from that. It will bring us
3 right into contemporary and in the most
4 innovative processes available for
5 processing payments.

6 Our data warehouse system,
7 although we have not technically
8 finalized the contracts, not technically,
9 we've been working with the vendor
10 without a technical contract for a few
11 months now, and we're expecting to have
12 some benefits from -- having some
13 benefits from an improved case management
14 and data warehousing effort probably
15 within six months. And additionally, we
16 have greatly changed our relationship
17 with the State of Pennsylvania.
18 Secretary Meuser has been an outstanding
19 partner with us. So we're now regularly
20 sharing data and information in gross and
21 account-level basis to improve both of
22 our systems. Our collaboration has been
23 wonderful.

24 COUNCILMAN HENON: In your
25 testimony you were stating -- and I'm

1 11/12/14 - FINANCE - BILL 140638, etc.
2 sure it's true -- that we've increased
3 the delinquency on our collections with
4 our real property and our real estate.

5 COMMISSIONER TOLSON: Yes.

6 COUNCILMAN HENON: Is that on
7 principal or with principal and interest?
8 Are they less accounts? So are the
9 numbers in your collection -- because the
10 dollars have increased from 35 million to
11 48 million. Is that due to the principal
12 and interest added on to that or is that
13 because of the amount of delinquencies
14 being collected? We collected more?

15 COMMISSIONER TOLSON: Yes. We
16 are collecting more, yes. We are
17 collecting more, more aggressively going
18 after all of those properties, yes.

19 COUNCILMAN HENON: What --

20 COMMISSIONER TOLSON: There are
21 no smoke and mirrors in this, Councilman.
22 I know I wouldn't survive Council if I
23 tried that. This is really about an
24 increased effort getting more money in,
25 trying to better define the problem and

1 11/12/14 - FINANCE - BILL 140638, etc.
2 actually bringing the money into the
3 School District and the City.

4 COUNCILMAN HENON: I'm glad to
5 hear you talk about some of the
6 governmental-owned properties. I mean,
7 because we have a substantial surplus in
8 the City of Philadelphia, which I find
9 troubling, and as we move forward towards
10 a Land Bank and we work out how that's
11 all going to shape up, have you taken
12 that into consideration when it comes to
13 cleaning up some of the delinquencies out
14 there and clearing our books?

15 COMMISSIONER TOLSON: Yes.
16 That will be in consideration as well.
17 We've been in discussions with the
18 Administration of the Land Bank about how
19 we will move forward. So that will be a
20 collaborative effort. And the bottom
21 line is about trying to make it clear
22 what is the challenge, where do we have a
23 problem with regard to delinquency, and
24 then targeting resources to that as
25 opposed to kind of shooting with a

1 11/12/14 - FINANCE - BILL 140638, etc.
2 shotgun and hoping that you hit some of
3 the right stuff. We want to be much more
4 strategic in our efforts. And I should
5 mention and I'd like to introduce, if I
6 could, we have a new deputy in the
7 Department whose sole job is collections.
8 His name is Mr. Marco Muniz, and he's in
9 the audience. If he could just stand up,
10 you could see him. Some of you will
11 remember him from having most recently
12 worked in the Law Department handling a
13 significant amount of work on water
14 issues, but he has graciously accepted a
15 different assignment to head up our
16 collections effort and will be
17 collaborating with all of the groups
18 within the Department to assist them in
19 getting more money in.

20 COUNCILMAN HENON: How does the
21 outstanding delinquencies get separated
22 to some of the third parties? Is that an
23 internal administrative prerogative or
24 policies that you have internally?

25 COMMISSIONER TOLSON: Yes. We

1 11/12/14 - FINANCE - BILL 140638, etc.
2 try to align if someone has a prior debt,
3 making sure that the debt -- and if it's
4 assigned to a collection agency -- I'm
5 sorry; outside co-counsel, that it still
6 goes to the same place so that you don't
7 have one firm calling about one year's
8 debt and another firm calling about a
9 different year. If it's not yet
10 delinquent but it's overdue, we assign
11 them to some of our collection agencies
12 to assist with getting it in before it
13 becomes delinquent. But it is assigned
14 internally.

15 COUNCILMAN HENON: The Sheriff
16 Sales, if you don't have the numbers now,
17 maybe we could catch offline and catch
18 up. Have we made more of a priority to
19 push some of our delinquencies to Sheriff
20 Sales, and how do you decide that? Your
21 department pushes it over to the Law
22 Department and the Law Department pushes
23 it to the courts; is that correct?

24 COMMISSIONER TOLSON: Well, the
25 portion of the Law Department that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 handles the real estate and Sheriff Sales
3 is now the Law Bureau within the Revenue
4 Department. So, one, that level of
5 communication and collaboration is
6 critical to seeing proper execution on
7 our delinquency and may have made a
8 tremendous effort to get more properties
9 through the Sheriff Sale process. I'll
10 let Mr. Paiva speak to some of the
11 numbers and progress that they've made.

12 MR. PAIVA: Within Fiscal Year
13 '14, we put into the pipeline 15,000
14 properties between ourselves and the
15 co-counsels. Those resulted in
16 approximately 9,500 properties actually
17 going for sale in that fiscal year. A
18 lot of folks once we locate them
19 obtaining a title search, they come into
20 compliance. So not everything goes into
21 the actual sale itself.

22 COUNCILMAN HENON: So you
23 pushed 15 through the process?

24 MR. PAIVA: Right.

25 COUNCILMAN HENON: Fifteen

1 11/12/14 - FINANCE - BILL 140638, etc.
2 thousand. And 9,500 became in
3 compliance?

4 MR. PAIVA: Yes. That's my
5 recollection.

6 COUNCILMAN HENON: So what
7 happens with the remaining Sheriff Sales?
8 Do they go back for resale?

9 MR. PAIVA: Yes. If we're
10 unable to get the properties sold,
11 they'll go at least another time, if not
12 another two times. Sometimes we do have
13 properties that are just -- there's no
14 market for them. And that is a problem
15 and something we need to come up with a
16 solution for, but right now it's a matter
17 of quantifying those properties.

18 COUNCILMAN HENON: What kind of
19 delinquencies would you find the majority
20 of -- are they property? Are they other
21 municipal liens? I mean, Sheriff Sales
22 are all real estate property, right, and
23 delinquencies?

24 MR. PAIVA: Right.

25 COUNCILMAN HENON: Do we push

1 11/12/14 - FINANCE - BILL 140638, etc.
2 any other kind of delinquencies over to
3 the courts or are they just for the
4 liens?

5 MR. PAIVA: Water and L&I have
6 been pushed through in Fiscal Year '14.
7 We have been -- we came up with an
8 approach of basically taking all three
9 property-based delinquencies and trying
10 to quantify them and putting the sales
11 based on the total of all three. That
12 hasn't happened yet. We're gathering the
13 information. There are issues with
14 identifying the properties against all
15 three different delinquencies because,
16 surprisingly, some water accounts do not
17 have the same address that we have for
18 real estate and some of the L&I as well.
19 So sometimes you come up with these great
20 ideas and you say, Hey, let's do it that
21 way, and then when you try to push it
22 through, you find that there are
23 difficulties in the various systems that
24 prevent them from all linking together
25 and makes it more challenging. So the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 result is, it hasn't yet happened, but
3 it's something that we're committed to
4 doing, because it's more efficient.

5 COUNCILMAN HENON: And your new
6 system that you're in the design and
7 ready to go out to bid and all that will
8 help collaborate a lot of that
9 information?

10 MR. PAIVA: But we can't just
11 wait until that happens. That's the
12 problem. And we need to move forward,
13 and sometimes moving forward requires a
14 lot of manual interventions to move the
15 ball.

16 COUNCILMAN HENON: Has the
17 Department ever thought of -- and I'm
18 just throwing it out there, and I don't
19 know what impact it would have on any
20 market here in the City of Philadelphia,
21 especially where you have a lot of good
22 things going, and we really do. I think
23 the City is poised to really make good
24 recoveries with our delinquencies and in
25 our information and how we share. So, I

1 11/12/14 - FINANCE - BILL 140638, etc.
2 mean, that is a credit to what you're
3 doing.

4 Has anybody ever thought of --
5 so there's two things here. One part of
6 this resolution is talking about tax lien
7 sales, whether it was -- I don't know if
8 anybody was around back then or not in
9 the mid '90s. Now circumstantially is
10 the climate different where they have
11 different results? So that's one. And,
12 two, any conversation about bulk sales?

13 COMMISSIONER TOLSON:

14 Councilman, I think both of those
15 conversations have been occurring within
16 our department, though we all have been
17 told, at least I've been told, about what
18 happened in the prior lien sales. There
19 are some folks who were around then. We
20 do now still see some of the challenges
21 as a result of those lien sales that
22 occurred previously and we certainly
23 wouldn't want to reproduce what occurred
24 in the past. However, we are open to
25 hear about what other options there may

1 11/12/14 - FINANCE - BILL 140638, etc.
2 be to improve our present lots. We're
3 always open to try to understand how can
4 we make things better, how can we bring
5 in more dollars.

6 We have a complex system, and
7 certainly we cannot gloss over some of
8 the issues that may be at hand for the
9 City in terms of some of the laws or
10 regulations that may be in place, small P
11 and big P, policies and politics, but we
12 certainly would like to understand more
13 about the system. So we are not opposed
14 to trying to understand more and getting
15 a better handle on what the options are.

16 COUNCILMAN HENON: I think
17 that's -- I mean, you have mentioned that
18 several times, how open you are to --

19 COMMISSIONER TOLSON:
20 Absolutely.

21 COUNCILMAN HENON: --
22 suggestions and concerns and things that
23 are specific to help tweak as we move
24 forward.

25 The commercial activity

1 11/12/14 - FINANCE - BILL 140638, etc.
2 licenses and recoveries for housing
3 inspection licenses and other commercial
4 activity licenses, what is the success in
5 those delinquencies?

6 COMMISSIONER TOLSON: We've
7 been highly successful. I'm going to
8 return to Deputy Commissioner Breslin to
9 address that, but it's been a great
10 success with the program certainly with
11 our certification process, people being
12 required to have a tax clearance before
13 being able to get various certificates,
14 and he can speak to the progress for each
15 of those.

16 DEPUTY COMMISSIONER BRESLIN:
17 Our commercial activity license
18 revocation program has been very
19 successful. To date -- we put that in
20 place in May of 2013 we started that
21 program, and to date that's generated \$22
22 million in collections, with an
23 additional, I believe, \$7 million in
24 payment agreements. A lot of that was --
25 we started that program with a lot of

1 11/12/14 - FINANCE - BILL 140638, etc.
2 emphasis on School District taxes.
3 Liquor taxes is what we started with the
4 program with. We've expanded it into
5 other taxes, other industries. It's kind
6 of an evolving program. I think it's
7 getting better and even more efficient as
8 we learn things through running the
9 program.

10 In addition, we've done a tax
11 clearance program, which has been
12 effective as well. I don't have
13 collection stats with me now. We've been
14 running that program for several years.
15 That continues to evolve. That program,
16 basically anybody who wants to get any
17 benefit from the City, whether it be
18 employment with the City, licenses,
19 various -- licenses, Zoning Board, if
20 they go through an appeal there, they
21 have to be in compliance. So that's a
22 web-based system. A taxpayer needs to go
23 online, get a tax clearance certificate
24 in order to pursue any of those
25 opportunities. If they're not in

1 11/12/14 - FINANCE - BILL 140638, etc.
2 compliance, they contact our Tax
3 Clearance Unit.

4 One of the concerns when we put
5 that in place by this group was that we
6 wouldn't be able to be responsive enough
7 for people and we would delay the process
8 for them to get licenses or whatever
9 benefit they were trying to get from the
10 City. So one of the things we did, we
11 said that we would put a dedicated group
12 together so that we could be responsive
13 for those issues, and we've done that.
14 We put a dedicated group, dedicated phone
15 number together for tax clearance issues.
16 That group basically guides -- if a
17 taxpayer goes to our system and tries to
18 get a tax clearance certificate and they
19 can't, the system indicates that they're
20 non-compliant, it directs them to a phone
21 number, and there we have a staff that
22 tries to walk the person through the
23 compliance process. I mean, they
24 don't -- it really expedites the process.
25 They can take the tax returns. They can

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2 take payments. They can help get the
3 person into a payment agreement, whatever
4 is required. They can help clear the
5 account if there was some kind of an
6 issue with the account. So it's been a
7 very successful program for us.

8 COUNCILMAN HENON: And I have
9 heard that. I wanted to make sure that
10 it was stated here publicly, because I
11 think that's a very -- it's a critical
12 stage, right at the gate when they're
13 looking for some sort of benefit or
14 assistance, support from the City and
15 you're in the delinquency stage. Payment
16 arrangements, fair advice, and guidance I
17 think is critical.

18 Has there been an uptick in
19 online delinquency payments?

20 DEPUTY COMMISSIONER BRESLIN:
21 You know, I don't know the numbers to be
22 able to tell you.

23 COMMISSIONER TOLSON: We can
24 get the numbers back to you, but the
25 amount of payments has increased greatly.

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2 There's a certain amount that comes
3 through the office directly. People
4 typically mail it in. And relative to
5 our online activities, people are
6 engaging more. We've just developed a
7 new -- have a new contract where it
8 actually costs less to do it online than
9 it costs to mail it.

10 DEPUTY COMMISSIONER BRESLIN:

11 So our electronic check, eCheck program,
12 there still is a payment, a cost
13 associated with that, but it's been
14 coming down. It's down to 35 cents. So
15 it's less expensive to do it
16 electronically, which was a barrier
17 before because it was a little expensive,
18 but now at 35 cents it's cheaper to do an
19 electronic payment than do a payment by
20 check by mail, and we're hoping to -- we
21 plan to market that heavily for this tax
22 season and we're hoping to really see an
23 uptick there.

24 We have some other initiatives
25 that we're pursuing with our Office of

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Information Technology that will also
3 make it easier for taxpayers to file and
4 to pay electronically. So we're looking
5 for this year in particular a big uptick.
6 And we also did an initiative this year
7 for use and occupancy tax where we did --
8 with the new legislation that gave an
9 exemption for use and occupancy tax, that
10 took a lot of people off the rolls for
11 use and occupancy tax, which was a good
12 thing, and it also left some taxpayers
13 where they had a small balance due. A
14 taxpayer may have had a balance of \$60
15 for the year, and since it's a monthly
16 tax, they would have had to every month
17 remit a payment and a return for \$5 of
18 tax. So something that we heard from
19 taxpayers and we followed through on was
20 that they would like the ability to be
21 able to just file a single tax return for
22 the year. So we implemented that in July
23 of this year. So taxpayers were able to
24 file a single return for the entire year,
25 and it would do that -- it required that

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2 that be done electronically and also it
3 required electronic payment. So we had
4 over 500 taxpayers take advantage of
5 that, and that's kind of a win-win.
6 Taxpayers wanted it, so we put it out
7 there, and they liked it. We got really
8 good feedback, and, of course, that
9 brings the money in sooner. It saves us
10 some efficiencies. We're not processing
11 those 12 payments and those 12 tax
12 returns during the year. So that was an
13 electronic initiative that was very
14 successful.

15 COUNCILMAN HENON: My last
16 question. I'm looking at this handout
17 that you gave, the charts, which I think
18 are quite impressive, just to echo
19 Councilman Squilla's observation of it.
20 And one thing that is always in question
21 is do tax amnesties actually work, and
22 from your chart here, it seems to be kind
23 of stale. There didn't seem to be a
24 spike in the collections during the
25 amnesty windows. Am I reading that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 correctly?

3 COMMISSIONER TOLSON: Yes, sir.

4 What this does show is that with tax
5 amnesty that -- it occurred over two
6 years, two fiscal years, because it
7 started in May and it didn't end until a
8 few months later. It was not
9 sustainable. People did not pay the
10 taxes and then continue to pay their
11 taxes or to have more people come into
12 the rolls because they thought that they
13 needed to pay. And instead in Fiscal
14 '14, with an aggressive enforcement
15 effort, engaging folks, that we instead
16 have a lot more money coming in from it
17 and additionally it is sustainable.

18 So we're trying to create a new
19 culture internally and externally with
20 regard to expectation that everybody
21 should pay their fair share and that if
22 you don't pay your fair share, that there
23 are consequences and the consequences are
24 predictable and everybody is treated the
25 same way.

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2 COUNCILMAN HENON: I have no
3 further questions for now. Thank you.

4 COUNCILWOMAN TASCO: The Chair
5 recognizes Councilman Squilla.

6 COUNCILMAN SQUILLA: Thank you,
7 Madam Chair.

8 Just for clarity, I think it
9 would be great if we could in the future
10 get that chart that you have of taxes
11 owed citywide broken down with water,
12 real estate and other taxes that you
13 have, and then what is -- the
14 government-owned ones shouldn't even be
15 showing up. They shouldn't even be on
16 the chart, but if we know that they are,
17 maybe somehow show us how much dollars is
18 owed on government-owned properties. And
19 this way, I think the clarity and the
20 communication-wise of these numbers makes
21 more sense, because it seems like every
22 hearing we have, our numbers are so
23 different from the previous hearings and
24 it's kind of confusing to everybody, and
25 I think it's because we look at them

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2 different ways each time. So if we could
3 actually clarify that and have that down
4 and do maybe a spreadsheet or some type
5 of chart like you did here with some of
6 these, I think it would really make it
7 easier for everybody to understand what
8 is actually out there, what is
9 collectible, what's not collectible.

10 COMMISSIONER TOLSON: Okay.

11 COUNCILMAN SQUILLA: Thank you.

12 And hopefully you guys could stay a
13 little bit and listen to maybe some of
14 the other people testifying to see if
15 there is some correlation between what
16 their testimony is and how we could use
17 best practices to even help increase it
18 even more than what we have today.

19 COMMISSIONER TOLSON: Yes.

20 Councilwoman, if we could, if you could
21 give me permission to also share one
22 other bit of information. I have some
23 maps that I thought would be helpful for
24 Council for this dialogue, if I may be
25 able to share that. We have a wonderful

1 11/12/14 - FINANCE - BILL 140638, etc.
2 policy and research group and they've
3 prepared some maps of the City. There
4 are three different maps. I just would
5 like to kind of have -- to share them
6 with you so you can have a different
7 perspective, a geographic perspective, of
8 where the City is and what's going on.
9 And I'll describe it once all the
10 Councilpeople have gotten their copies.

11 So this set of maps reflects
12 the delinquency, real estate tax
13 delinquency, across the City based upon
14 how much principal is owed. It's
15 color-coded based upon a census block
16 group, which is larger than tracts but
17 smaller than a census group, typically
18 between 602,000 people. The size of the
19 block group may vary obviously, because
20 you may have some areas where people are
21 more spread apart. The block group is
22 larger. In some places where it's more
23 dense, the block group is much smaller.

24 But we wanted to look across
25 the City to understand where is the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 principal owed, and you have shades of
3 yellow to red, dark orange which shows
4 kind of like the intensity of what's owed
5 where, and you'll see that there's not a
6 section of the City, not a community in
7 the City where there is not a
8 delinquency, delinquency doesn't exist.
9 Delinquency exists everywhere to
10 different degrees. Where it is palest,
11 you have smaller delinquency, but, again,
12 as I said, everywhere has some. Where it
13 is darkest, you have the greatest
14 delinquency.

15 And in the chart in the bottom
16 right-hand corner, you can see what is
17 the delinquency level by Council
18 district. We thought it wasn't logical
19 to do it by census group, so we did that
20 by Council district, which is a level
21 that's probably easier to follow, and
22 looks at the number of delinquent
23 properties as well as the percentage of
24 properties that are delinquent in the
25 area, in addition to how much they owe.

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2 And if you look at the level of
3 delinquency and compare that to -- and
4 that's delinquency for all years --
5 compared to what is owed in that
6 community, it gives you a percentage of
7 the value against the 2014 tax level.

8 COUNCILWOMAN TASCO: Are most
9 of these properties commercial
10 properties?

11 COMMISSIONER TOLSON: No. Most
12 are residential. There are some
13 commercial, but most are residential
14 properties.

15 COUNCILMAN SQUILLA: Most are
16 residential. I mean, it looks like along
17 the waterfront and by the airport and
18 places like that are the darkest, which
19 means over \$500,000.

20 COMMISSIONER TOLSON: It will
21 vary in some block groups versus others.
22 Remember, I said that some block groups
23 are larger because in order to capture
24 some people, the block group becomes
25 larger. So if you have an area that has

1 11/12/14 - FINANCE - BILL 140638, etc.
2 a large commercial space, it will then
3 attach to neighboring communities in
4 order to capture people in addition to --

5 COUNCILMAN SQUILLA: So if the
6 businesses are in a residential area --

7 COMMISSIONER TOLSON: Well, not
8 necessarily the residential area. The
9 census will make the area larger because
10 there aren't many people in the
11 commercial area, but then it adds people
12 into it. So they're reaching out to get
13 to residential areas. So that's why you
14 may get into some areas, I would say,
15 South Philadelphia where the block group
16 is very small, because it's also very
17 dense. There's a lot more people who
18 live there, so they can make it very
19 small in order to capture the same 600 to
20 2,000 people.

21 COUNCILWOMAN TASCO: Do these
22 numbers take into consideration vacancies
23 or abandoned properties?

24 COMMISSIONER TOLSON: No. It
25 just looks at delinquency.

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2 COUNCILWOMAN TASCO: Just the
3 delinquency. It doesn't have --

4 COMMISSIONER TOLSON: It's not
5 trying to capture everything. It's
6 impossible to capture everything on one
7 table or on one graph, but just trying to
8 present some information. If there's
9 more information that you'd like to know,
10 we can certainly go back and get that for
11 you.

12 COUNCILMAN SQUILLA: Has this
13 scrubbed out the City-owned municipal
14 properties?

15 COMMISSIONER TOLSON: Yes.

16 COUNCILMAN SQUILLA: And the
17 ones on payment plans, or no?

18 COMMISSIONER TOLSON: Yes.
19 Yes. Because, remember, I said for
20 purposes of trying to figure out what do
21 you do with delinquency, it doesn't make
22 sense to us to try to include those.

23 If you go to the next table,
24 that looks at the number of delinquent
25 properties in each of these block groups.

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2 The chart on the bottom right is the
3 same, but this allows you to see how many
4 properties are in each of these -- this
5 block group of 600 to 2,000 people on
6 average, how many properties are
7 delinquent. Again, you'll see across the
8 City that there's delinquency existing.

9 COUNCILMAN SQUILLA: Something
10 looks a little confusing to me. The
11 number of properties, look down at
12 Southeast Philadelphia. On the first
13 page it's greater than \$500,000, yet it's
14 less than ten properties.

15 COMMISSIONER TOLSON: Right.
16 So you could have a large commercial
17 property in there and that would make it
18 very, very large.

19 COUNCILMAN SQUILLA: Okay.
20 Because on one sheet it's yellow; the
21 next sheet it's red.

22 COMMISSIONER TOLSON: Yes.
23 Remember, it's not just looking for a
24 geographic area. It's kind of looking
25 towards -- it includes people with it.

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2 COUNCILMAN SQUILLA: Right. So
3 less than ten properties are delinquent.
4 So that sends a signal that maybe we
5 should go after those large parcels to
6 try to get those tax dollars first.

7 COMMISSIONER TOLSON: Yes. So
8 this is how we have begun to evaluate our
9 work and where we're doing our work, by
10 looking at information kind of in a
11 different way other than just straight
12 the numbers, this one owes 5,000, this
13 one owes 1,000, this one owes 500,000,
14 kind of trying to understand how does
15 this fit in the greater scheme of things.
16 It's just another layer of information to
17 add to what we already know to help make
18 decisions.

19 COUNCILMAN SQUILLA: Okay.
20 Great.

21 COMMISSIONER TOLSON: And then
22 the last sheet looks at the age of the
23 delinquency.

24 COUNCILWOMAN TASCIO: Do you
25 think those numbers might have some

1 11/12/14 - FINANCE - BILL 140638, etc.
2 correlation to the AVI?

3 COMMISSIONER TOLSON: Well,
4 with AVI, given it's only been in place
5 for a year, they would not impact
6 anything being older, the aging, and we
7 have not included 2014 taxes that were
8 due in March because they're not yet
9 delinquent.

10 COUNCILWOMAN TASC0: We got to
11 find out what's going on since most of
12 them are just three years old.

13 COMMISSIONER TOLSON: Most of
14 it is older than three years old. So we
15 have about \$26 million that is under
16 three years.

17 COUNCILWOMAN TASC0: But if you
18 look at the color of the map.

19 COMMISSIONER TOLSON: Yes.
20 Most of it is under three years. That's
21 correct.

22 COUNCILWOMAN TASC0: So there's
23 got to be something --

24 COMMISSIONER TOLSON: Well,
25 that's a good thing. That means that

1 11/12/14 - FINANCE - BILL 140638, etc.
2 most people are paying.

3 COUNCILWOMAN TASCO: I think
4 that's great.

5 COMMISSIONER TOLSON: That's a
6 good thing. Most people are paying.
7 Where it gets darker, that means that you
8 have long-term problems. Some of it may
9 be an abandoned property that has not
10 gotten off of the tax rolls.

11 COUNCILMAN SQUILLA: Because
12 here you have over 24,000 that are
13 greater than ten years, right?

14 COMMISSIONER TOLSON: Yes.

15 COUNCILMAN SQUILLA: And close
16 to \$100 million in principal owed.

17 COMMISSIONER TOLSON: Yes.

18 COUNCILMAN SQUILLA: And that's
19 even with the washed out information?

20 COMMISSIONER TOLSON: That
21 should be. We'll confirm that. I want
22 to confirm that one.

23 COUNCILMAN SQUILLA: That's
24 good. I mean, we are getting -- we're
25 going in the right direction. We need to

1 11/12/14 - FINANCE - BILL 140638, etc.
2 do some more work obviously to collect
3 these taxes, because that's only
4 principal owed too. So I'm sure there's
5 additional dollars that may be allocated
6 into that, but I think all this
7 information helps and I think that
8 knowing that we've come a long way but
9 still have a long way to go, I think it's
10 great to have this collaboration and work
11 with you to do that, and I really
12 appreciate everything that's been done up
13 to this point and hopefully we continue
14 to improve. Thank you so much.

15 COMMISSIONER TOLSON: Yes
16 indeed.

17 COUNCILWOMAN TASCO: Any other
18 questions?

19 COUNCILMAN HENON: Just one
20 quick question. The success of
21 sequestration, I don't know -- I must
22 have -- did we discuss that early on? I
23 think we were supposed to pilot that to
24 see how it was going, started off with
25 commercial and then move into

1 11/12/14 - FINANCE - BILL 140638, etc.
2 residential, because what's obvious --
3 and I'm glad to hear that when we make
4 decisions, we're making it on the bigger
5 picture and how it impacts the
6 neighborhood. So you may have one
7 commercial property which is obviously
8 that it would be delinquent in a larger
9 number, but how it affects the
10 neighborhoods. And I have done some
11 research within my own office where tax
12 delinquencies lead to property
13 maintenance violations, leads to other
14 things, which destroys the quality of
15 life of a neighborhood, which declines
16 the property value in that neighborhood
17 within an eight-block radius to 20
18 percent. So, I mean, I think that
19 approach is necessary as we make
20 decisions moving forward.

21 So back on the question of
22 sequestration, how has it been so far
23 with commercial and did we just touch on
24 a little bit and are we going to move
25 to -- again, it's a tool sort of like

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Sheriff Sale. We want 95 percent
3 compliance once their real property --
4 because nobody wants their real property
5 with property rights, nobody -- I mean,
6 nobody wants their house or business
7 taken from them. So the compliance I
8 think once we start using these tools are
9 better for us as a city in recouping our
10 delinquencies.

11 COMMISSIONER TOLSON: Yes.
12 I'll let Mr. Paiva address that. Thank
13 you.

14 MR. PAIVA: The sequestration
15 program focused primarily on commercial
16 properties, and the residential
17 properties that we have addressed are
18 those where it's a rental property.

19 There's limitations with
20 sequestration. If there's no rents being
21 generated, it really doesn't lend itself
22 to being placed in the program. So
23 commercial it clearly is easy to do and
24 apartment buildings, things like that,
25 and that's where the focus has been.

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Once you start getting into smaller
3 properties, the costs of having to
4 sequester comes to be disproportionate to
5 the amount of tax that's due. So we've
6 been taking steps to expand it, but
7 there's certain limitations that we have
8 to deal with.

9 COUNCILMAN HENON: Which I can
10 understand. I mean, there are other, by
11 code, as far as managing agent and other
12 types of tools that we can actually
13 work -- and I'd love to come in and
14 discuss some of that kind of stuff just
15 from an internal policy thing and just
16 help move what we're all trying to
17 accomplish, maybe in a different way. So
18 thanks. Thank you for the update.

19 But to the commercial end, it's
20 been successful?

21 MR. PAIVA: Yes.

22 COMMISSIONER TOLSON:
23 Sequestration has been very successful.

24 COUNCILMAN HENON: Great.

25 Thanks.

1 11/12/14 - FINANCE - BILL 140638, etc.

2 COUNCILWOMAN TASC0: Thank you
3 very much.

4 We're going to go to the next
5 panel. We have a hearing here in 20
6 minutes. So we now call on Panel 2,
7 Allan Domb, Brad Westover, and Douglas
8 Gale.

9 (Witnesses approached witness
10 table.)

11 COUNCILWOMAN TASC0: Good
12 afternoon.

13 MR. DOMB: Good afternoon.

14 COUNCILWOMAN TASC0: You'll
15 learn to come later.

16 Would you please state your
17 name for the record.

18 MR. DOMB: Sure. Allan Domb.

19 MR. WESTOVER: Brad Westover.

20 MR. GALE: Douglas Gale.

21 COUNCILWOMAN TASC0: Would you
22 like to proceed with your testimony.

23 MR. DOMB: Thank you, members
24 of City Council. I'm going to be very
25 brief. We have experts here. I'll let

1 11/12/14 - FINANCE - BILL 140638, etc.
2 them speak, but I just want to address a
3 few quick things.

4 One, it sounds like the total
5 right now from the last testimony with
6 real estate taxes being 215 million and
7 the interest and penalties being 68
8 million and the, I believe it was, water
9 and sewer was 194, it sounds like the
10 total current outstanding is 477, not
11 including gas. Last time we checked gas
12 was about 120. So it could be a total of
13 600 million. That doesn't include the
14 government-owned properties.

15 The one detail on
16 government-owned properties we should
17 check as a city is that we lease
18 properties to third parties on a
19 triple-net basis and are those tenants
20 paying the taxes, such as maybe Suburban
21 Station or other properties like that.
22 We should just verify that piece.

23 The other piece we should look
24 at is, the interest is very low in
25 relationship to the principal. If 215

1 11/12/14 - FINANCE - BILL 140638, etc.
2 million is for properties that are four
3 years or greater in delinquencies -- and
4 I know from my real estate tax bill if I
5 don't pay, it's 18 percent a year. Just
6 doing the simple math on the first year
7 of not paying is \$38 million for one
8 year. So I'm not sure if -- we should
9 maybe look at the interest rate or
10 charging for 68 million to have these
11 types of properties not paying for many
12 years seems very low. That should be
13 checked.

14 So let me just get into what
15 we're here for today. Brad Westover to
16 my left is the Executive Director of the
17 National Tax Lien Institute. New York
18 City and 28 other states do tax lien sale
19 collections. We had several meetings.
20 Many of you are fully aware of them, and
21 I kind of think the method used in New
22 York City, which is collecting 96 to 97
23 percent of their taxes, is a very
24 effective method. It's through
25 securitization. They have two or three

1 11/12/14 - FINANCE - BILL 140638, etc.
2 buyers. If there's a problem with one of
3 the liens, they swap them out. They work
4 with the city. But I believe -- and Brad
5 will explain it -- the bottom line is
6 that when you sell these old liens -- by
7 the way, we feel that the City is doing a
8 great job with the current collections.
9 This is addressing the older collections.
10 So I think -- and I can attest to it. I
11 see what's going on and I think the
12 Revenue Department under Chairman Tolson
13 is doing a very good job. They're doing
14 well. We're talking about the old stuff.
15 And, by the way, according to Herb
16 Wetzel, he tells me that most of the old
17 stuff, 40 percent of the delinquencies
18 are people who don't live in the City.
19 So that's something you may want to look
20 at.

21 But getting back to 28 states
22 do tax lien sales. Less than two-tenths
23 of one percent --

24 COUNCILWOMAN TASC0: Does that
25 make it harder for us to collect because

1 11/12/14 - FINANCE - BILL 140638, etc.
2 they don't live in the City?

3 MR. DOMB: No. No. And I'll
4 let Brad address that, but I don't
5 believe so. I'm going to let Brad
6 address the details of this. He's the
7 Executive Director of the National Tax
8 Lien Institute and an expert on this and
9 I'll let him speak to this issue.

10 Brad.

11 COUNCILWOMAN TASCO: Again,
12 would you identify yourself for the
13 record, please.

14 MR. WESTOVER: Sure. Brad
15 Westover, Executive Director of the
16 National Tax Lien Association, and thank
17 you very much for your time. And I just
18 want to, first of all, congratulate the
19 Revenue Department. Obviously things are
20 moving in the right direction, and that's
21 fantastic for everybody.

22 I want to talk about basically
23 kind of the scope of the issue and
24 nationally some best practices. I mean,
25 I go around the country speaking to local

1 11/12/14 - FINANCE - BILL 140638, etc.
2 governments on best practices in
3 collecting back taxes.

4 Every year in America about \$14
5 to \$17 billion go unpaid in property
6 taxes, and that obviously becomes
7 problematic if you don't have a solution
8 to collecting those back taxes.

9 Annually certain cities have
10 annual tax lien sales, and I just want to
11 give you an idea of the scope of across
12 the country. Indianapolis sells \$57
13 million; Miami \$233 million; Chicago \$176
14 million; Phoenix \$86 million; Nashville
15 \$30 million; Baltimore \$73 million;
16 Denver \$18 million; and Washington, DC
17 \$100 million. Those are annual tax lien
18 sales, and I want to explain that it's
19 really not an event, a tax lien sale.
20 All these basically have programs in
21 place so that you don't get to the place
22 where we're currently at, which is
23 looking at a pretty significant back tax
24 issue.

25 A little closer to home is, we

1 11/12/14 - FINANCE - BILL 140638, etc.
2 go across the bridge to Camden, New
3 Jersey and in the '90s they had a
4 collection that was the worst in the
5 United States of 67 percent, and once
6 they implemented some of the things which
7 we recommend, the 67 percent was over
8 \$100 million in Camden. Their
9 collections are currently, because of
10 continuous efforts on this front, of the
11 mid 90's. So they went from 67 percent
12 to 95 percent over that time period.

13 Specifically about New York
14 City, because I think there's a pretty
15 good comparison to help you understand
16 how the City works, the tax levy in New
17 York City is \$22 billion. That's real
18 estate, that's water and sewer. So you
19 got a \$22 billion tax levy. There are
20 600 -- depending on the year, but there
21 are \$600 million to \$1 billion in unpaid
22 property taxes annually. Before the
23 actual -- they issued tax anticipation
24 notes, they issued bonds and the
25 securitization that's secured by the real

1 11/12/14 - FINANCE - BILL 140638, etc.
2 estate, 40 to 60 percent of those
3 accounts pay before the day of the sale,
4 and the reason why that's obviously
5 significant is, in New York City you're
6 delinquent in February and those liens
7 are sold in May. So you have a 90-day
8 period, and in those 90 days, you have 40
9 to 60 percent of the accounts that pay,
10 that never get into the process. You
11 say, Well, that's -- the kind of proof is
12 in the pudding that this system works
13 very well for the City. They couldn't be
14 happier. They're trying to make sure
15 that everybody pays their fair share.
16 And ultimately what you're doing in a
17 successful program is, you're lowering
18 the taxes for everybody that does -- for
19 current taxpayers, and that's what it
20 affords.

21 So at the end of the day, New
22 York City sells annually between \$130 and
23 \$140 million. The other kind of
24 by-product -- there's a couple
25 by-products that are significant also.

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2 Number one is, New York City no longer is
3 funding the in rem foreclosures that they
4 once were doing, which was costing the
5 City \$500 million a year, and the second
6 thing is -- and I think tremendously
7 significant to the City of Philadelphia
8 is if this is a process by which you
9 clean up your records and we all -- with
10 the size of that delinquency, we know
11 there's government-owned property. We
12 know there's sliver lots. We know
13 there's landlocked properties. We know
14 there's properties that burnt to the
15 ground that had a tax liability of
16 \$50,000 that currently has a negative
17 value on the real estate because it's a
18 burned-out shell property and has a land
19 value of \$5,000. Some way, somehow you
20 have to clear the account, and through
21 this process, you can get that vacant
22 property cleared, all the encumbrances.
23 So it's not on the books you've got a
24 \$50,000 non-performing asset. Now it
25 turns hands and now you've got a thousand

1 11/12/14 - FINANCE - BILL 140638, etc.
2 dollar piece of land that has a new
3 taxpayer in it. So it becomes a
4 performing asset at a thousand dollars
5 rather than a non-performing asset at
6 \$50,000.

7 The other thing is, Standard
8 and Poor's when they do their rating on
9 this transaction for New York City, they
10 would rate it negatively if it was a
11 one-time Band-Aid, and they rate it
12 favorably and perhaps would improve the
13 City's bond rating if this was a
14 continual program like the rest of these
15 large cities accomplish.

16 Some of the safeguards that we
17 promote, some of the things we advocate
18 as far as a successful program is, number
19 one, is that there would be minimum
20 thresholds, that you wouldn't sell tax
21 liens on \$50 whatever it is. Somehow
22 there's a number in which it makes sense,
23 but below that number of the delinquent
24 amount it's not included in a sale.

25 Number two, we support payment

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2 plans and offering payment plans to all
3 delinquent taxpayers so that they can pay
4 over time in an installment payment
5 process.

6 Number three, that you'd have
7 an ombudsman, a City employee that
8 handles hardship cases. Now, mind you,
9 hardship cases, in my experience over 20
10 years in this field, occurs on one-half
11 of one percent of all the folks that go
12 into this process. So it doesn't make
13 any sense to preclude a whole segment
14 of -- let's just say we're going to
15 preclude any owner-occupied resident.
16 And so we take 100 percent of that group
17 out, and yet we're talking about one-half
18 of one percent that actually go through
19 and say, You know what, I have a hardship
20 case. I'm a disabled veteran, I'm an
21 elderly with low income, I'm -- name that
22 group, and we support an ombudsman to
23 hear those cases and provide solutions.

24 Now, what are some of the
25 solutions that you could provide?

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2 Because you have a purchase and sell
3 agreement, it's an agreement with the
4 servicer of this process, you could lien
5 swap, because these investors are not
6 married to a single property in the City.
7 So you say, You know, it's a \$2,000 tax
8 liability on a single-family home. We
9 need this one back because it belongs to
10 so-and-so, and the hardship case has gone
11 through and you take it back and you get
12 next year's lien. Or, alternatively, the
13 City could buy back that delinquent
14 account and protect -- keep the homeowner
15 in the home, to cap the foreclosure fees,
16 and to make sure in this foreclosure
17 process that you're not unduly burdening
18 the delinquent taxpayer by exorbitant
19 legal fees in this process. So that's
20 probably a wise practice.

21 The noticing requirements
22 continue or are increased. The
23 delinquent taxpayers have sufficient
24 notification, and then ultimately there's
25 protections for -- judicial protections

1 11/12/14 - FINANCE - BILL 140638, etc.
2 that they would provide, guardian ad
3 litems or things that would help those
4 that need help.

5 So ultimately in order to
6 create this win-win scenario, the City
7 gets its cash up front and which it
8 obviously needs in order to fund schools
9 and to pay educators and to pay the fire
10 and the police and to keep the lights on
11 in City Hall and, more importantly, in
12 our city streets of where -- that would
13 add to the crime rates if we have dark
14 streets. So the City gets an immediate
15 infusion of cash. The delinquent
16 taxpayer now has additional time and
17 increased time to redeem or to pay and
18 additional notifications. The current
19 taxpayer now has a decreased future
20 tax -- the decreased probability of
21 future tax increases and hopefully a tax
22 decrease if this revenue flows in and
23 then reliability of government services
24 and that everyone pays their fair share.
25 And then, lastly, the investor receives

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2 the penalty and the interest in
3 accordance with this, but also assumes
4 the risk of non-payment.

5 So what went wrong? Looking
6 back, I had the opportunity to speak with
7 the servicer of the 1996 Rendell
8 transaction. I asked him -- he's now in
9 his 80's. He's long retired, has no
10 reason to hold back, and he tells me -- I
11 asked him what went wrong. He said,
12 first of all, the political friends and
13 family plan of what got pulled out of the
14 cell was enormous, and it happened to be
15 everything that was decent in the City.
16 So what was left in the transaction was
17 just the sludge, the sliver lots, the
18 burnouts, the teardowns, just stuff that
19 was really very, very difficult to
20 collect and undesirable. That was the
21 primary problem.

22 Number two is, the foreclosure
23 process was -- the City just didn't want
24 to act, and they really put them off and
25 said it was over two years before we

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2 could act or whatever. And one
3 irrefutable law of this business, of this
4 industry is, tax liens never get better
5 with time, ever. Houses don't paint
6 themselves. Lawns don't mow themselves.
7 Fences don't put themselves up. And so
8 time is an enemy to collectability. So
9 that ultimately you need to have a
10 foreclosure mechanism and it's part of
11 the process.

12 And then, lastly, the
13 safeguards that I talked about
14 previously, those were not implemented in
15 1996. And in '96, they didn't have the
16 software and the systems and the
17 capabilities that are currently
18 available.

19 So that's a little bit about
20 this process that I wanted to explain.

21 You mentioned previously a
22 little bit about commercial that you
23 asked the Revenue Director, Commissioner.
24 In Atlantic City this week, they're
25 selling two of their tax liens. They got

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2 two tax liens they're selling. One is
3 \$23 million. The other is \$32 million,
4 because two casinos -- I don't know
5 whether they got together and said, Hey,
6 this is pretty nice, we know this will
7 never get reported to credit agencies, so
8 we're not going to pay. That's 10
9 percent of Atlantic City's budget. If
10 they didn't have a mechanism, that would
11 be crippling. It would crush Atlantic
12 City. But fortunately they will have the
13 opportunity to sell a \$23 million and \$32
14 million tax lien and they also have an
15 investor who says, I'll take that risk.

16 So that's a little bit about
17 who we are and what we do, and I
18 welcome -- congratulations again to the
19 Revenue Commissioner, Ms. Tolson. She's,
20 it sounds like, doing a fantastic job. I
21 know through this process that we can
22 help that back end and, additionally, get
23 those numbers up to what the national
24 average is, 96, 97, 98 percent
25 collections every single year.

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2 Thank you.

3 MR. GALE: My name is --

4 COUNCILWOMAN TASC0: Would you
5 state your name again for the record.

6 Thank you for your testimony,
7 sir.

8 MR. GALE: My name is Douglas
9 Gale. I'm with Municipal Tax Solutions.
10 We're a sole-purpose entity designed and
11 developed to help local taxing
12 authorities navigate all these different
13 choices. We have no specific product to
14 sell, no one single solution. We just
15 help you ascertain which solution is
16 right for you, and there's a lot of
17 solutions to the plethora of problems.

18 It's no small undertaking to
19 deal with a delinquent tax issue. It can
20 be systemic, the issue, all the way from
21 assessment, which I think we've heard
22 earlier that some assessments were
23 jumping up very large amounts, and there
24 are solutions to that. There's phase-in
25 programs that some states use. Some

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2 states use a Save Our Homes down in
3 Florida that helps burden the bump-up and
4 appreciation.

5 And so we have experience in
6 over 23 states, over 200-plus taxing
7 authorities. We've seen the best and
8 we've seen the worst around the country.
9 We have collectively 80 years of
10 experience and our sister firm has
11 invested over 700 million in delinquent
12 tax accounts for clients. I myself have
13 been determined to be an expert in
14 delinquent tax portfolio management by
15 the U.S. federal courts.

16 It's a fine balance in tax
17 collection between enforcement,
18 compassion, and grace, and you have to
19 accomplish it through a proper
20 legislative structure, operation,
21 policies, and procedures, the right
22 financing structures, both in the short
23 term and in the long term. So we hear
24 about different opportunities to sell
25 taxes and whether you sell current or you

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2 sell that backlog that you have. I heard
3 earlier the testimony saying, Well, we're
4 in the mid '90s on collections within
5 three years. Well, through some
6 processes or finance structures, you
7 could be nearly 100 in one year, as Brad
8 was alluding to, through either a tax
9 sale or other financing mechanisms.
10 There are other opportunities and other
11 options.

12 And then execution. Execution
13 comes down to how we're doing this on a
14 daily basis and how it hits home for
15 those people individually. And so it's
16 always a balancing act in making the
17 right fit work.

18 On the legislative front, laws
19 need to be clear. They need to be
20 succinct. They need to be properly
21 balanced for the requirements, because
22 some laws I've seen become overly
23 burdensome to the tax administrators, so
24 they can't actually implement what's been
25 passed by law. And in some cases --

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2 well, in Mississippi is a great example.
3 They have this law that they believe is
4 fantastic. However, whatever deeds come
5 out of the end process are worthless.
6 Nobody can execute on them because the
7 courts have not backed up the law that
8 was there, and the county administrators
9 can't enforce the law that was put into
10 place. They didn't give them the proper
11 equal revenue streams. Like they asked
12 the sheriff to go out and notice the
13 people. Well, the sheriff gets \$5 to go
14 do that. It's not long before his budget
15 is underwater, because he's getting \$5 to
16 go out and do hundreds of notices that
17 cost him up to \$50 a time to go do by the
18 time he takes account of his gas and his
19 employee, his car, the cost of the
20 vehicle and everything else to get those
21 notices. They don't get them on the
22 first time. They obviously have to go
23 out.
24 We want to make sure people get
25 the notice, right? We always want to

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2 make sure and protect people's property
3 rights and the right to due process, but
4 there's got to be compensation to the
5 Sheriff's Office to be able to do that.

6 And so in legislative -- and
7 we've worked on a lot of legislative
8 actions around the country. It's always
9 making sure that everything is matched up
10 and balanced throughout the process. And
11 in policies and procedures, it's got to
12 be easy to follow, easy to communicate.

13 We always like to make sure
14 that policies and procedures that we're
15 advocating for helping a community
16 develop and a county taxing authority
17 develop are easy to communicate to the
18 owners. They have to understand it for
19 them to follow it, and if it gets too
20 complicated, there's too many separate
21 programs and they could enter into very
22 long application processes and things,
23 they get lost in it. They'll get lost in
24 it very quickly. We always want to make
25 sure we're out there helping the people

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2 in need, getting them quickly assessed
3 and have them easily understand the
4 process and making sure it's
5 communicated, informing all those people
6 of the process and also quick turnaround
7 on abandoned properties.

8 I heard a little bit of talk
9 about abandoned properties, and in your
10 process and procedures, a lot of places
11 are quickly identifying early on an
12 abandoned property and accelerating the
13 process on those. That works a lot to
14 help out blight, and there's a lot of
15 ways and other procedures that we could
16 help you implement to do that.

17 And financing, again, the
18 financing being flexible. There's
19 short-term options, there's long-term
20 options. There's a lot of things you
21 have to understand. There's also the
22 implementation of it. Again, as Brad had
23 pointed out, there was a problem with the
24 past one because it wasn't well vetted
25 and a thorough process of it and it got a

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2 little bit too political and not as much
3 experience based around the country.
4 There's a lot of experience around the
5 country. A lot of people have tried a
6 lot of different methods, and it's about
7 getting to those best practices, what has
8 worked, what has not worked, and how do
9 we implement just that that has worked
10 and avoid the pitfalls. We're all about
11 helping communities that are taxing
12 authorities avoid those pitfalls from
13 what other people have gone through.

14 And then education and training
15 of the people. It sounds like your
16 Administration is doing a fantastic job
17 of implementing some new procedures and
18 things and training their people
19 throughout, and that's awesome. That's
20 great to hear that there's been a
21 turnaround.

22 It's also true that any effort
23 is going to have some early bumps because
24 of kind of low-hanging fruit, the people
25 that were willing to pay so long as they

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2 got the notice and stuff like that. And
3 so there's always going to be that. Now
4 you're going to be left with the harder
5 stuff as it gets more in the old stuff
6 that you're talking about. You're going
7 to have some ten years plus kind of
8 things. I mean, you're getting some
9 really hard-to-collect stuff, and it gets
10 very detailed in how you go about that to
11 effect those collections. Even in three
12 years plus, you're getting into it.
13 You're getting into where the value of
14 the taxes and the cost of the taxes and
15 the cost of collection exceed the value
16 of the property in some of these places,
17 especially sliver properties and things
18 like that, identifying those.

19 Councilman Squilla had
20 mentioned earlier what are the real
21 numbers and how does it break down. So a
22 lot of what we like to go in and do is to
23 say, Okay, what was your delinquency
24 date?

25 A year and a half ago.

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2 How much of that has moved into
3 payment plans? How much of that has been
4 collected? How much of that has gone
5 through other ways and means? How much
6 was identified as government properties?
7 And perhaps -- it sounds like they have
8 the data and they'll get that to you, but
9 just constantly looking at that analysis.
10 And part of the execution is all about
11 data and tracking, right? Tracking
12 performance by those individual things.
13 Payment plans are a big thing to track
14 because they're great on the start and
15 then it's a question of how many people
16 recycle through, how many defaults on
17 that and then come back out, and is the
18 payment plan enough to collect for
19 current payments of taxes, including
20 appreciation in the future and stuff.
21 And by all means, I'm not saying that
22 they don't have this in place. They may
23 have all this in place, but these are
24 just the things that we offer to help out
25 and issues we've seen in other places.

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2 So I mentioned some other
3 financing structures. There are other
4 financing structures. Tax sales are
5 great. They're a great mechanism, and
6 we're happy to help out in making sure
7 that the best practices in those get put
8 forth. There's also some off balance
9 sheet loan programs you can use. There's
10 tax anticipation notes, securitizations I
11 heard mentioned as well, taxpayer loan
12 systems and then, of course, the tax
13 sales, do you go bulk, do you go
14 negotiated sale, do you do individual
15 liens. All these things are what we help
16 navigate. You'll never get it all worked
17 out in meetings like this. You could
18 have 100 of them and it's just too much.
19 So these are the kind of things that we
20 like to work through and help out with.

21 There's a lot of great options,
22 again many pitfalls, and a history of
23 failures and successes, and we want to
24 make sure that whatever you guys decide
25 to implement, that it is on the history

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2 of successes, and that's what we're here
3 for.

4 I got some other things I can
5 talk about, but I know we're on a
6 timeline, so I'll cut it there.

7 COUNCILMAN SQUILLA: Well, I
8 appreciate that, and I'm the Chair of the
9 next hearing coming up for Streets and
10 Services, but I do have a couple
11 questions. Commissioner Tolson has done
12 a great job and she has even admitted to
13 listening to everybody, so she's been
14 great at that and willing to work with
15 people for new ideas. But given -- and
16 you sort of alluded to it. Given that
17 there are liens outstanding from the last
18 lien sale and they have a priority over
19 the future liens, how would that affect a
20 new lien sale?

21 MR. WESTOVER: Well, one of two
22 things is going to have to happen.
23 Either they're going to have to get
24 carved out as a special exception -- I
25 don't know the amount of them. I mean, I

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2 would think since '96 I think that the
3 quantity is not that great. However, if
4 not, then perhaps there's -- we've got to
5 perhaps introduce some legislation or
6 something, because this can't be -- this
7 process doesn't hold properties hostage,
8 and that's what you sound like you're
9 describing. This has to be a
10 clearinghouse. It's kind of the reverse
11 effect.

12 So I'd have to take a look at
13 that, but the reality is in New York
14 City, it functions because it's a method
15 to clear them, to wipe away, abate all
16 the back taxes and get the thing back
17 active on the tax rolls. So I'm certain
18 there is a solution to take those
19 previous liens that were in that sale and
20 get them basically abated.

21 COUNCILMAN SQUILLA: That's
22 something you would be able to work with
23 the Administration on, to come up with a
24 way or a procedure to do that?

25 MR. GALE: Absolutely. A lot

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2 of times they say they have priority
3 order over future liens, but it's usually
4 in most states that's only effective if
5 they were to foreclose on it, and to
6 complete their foreclosure, they have
7 priority over future liens. So if a
8 subsequent lien forecloses on it first --
9 obviously you haven't taken action in ten
10 years. They're somewhat stalemated. If
11 you take a new action on it, then
12 sometimes they'll wipe out the old. But
13 to the extent that they don't, yes,
14 there's legislative action and things
15 that we can do to clear that out.

16 COUNCILMAN SQUILLA: All right.
17 Maybe if you guys could have that
18 dialogue with the Commissioner and the
19 office to see how that would work.

20 But another question that you
21 alluded to is that a lot of them -- the
22 majority of our delinquencies now are
23 greater than three years. Would that be
24 something that would be more difficult to
25 sell those liens or to purchase them?

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2 MR. GALE: Surely you're not
3 going to get the same price you would as
4 if they were one year old. It's all
5 about price. So the pricing is going to
6 be less on it and you may have less
7 people interested in it. However, will
8 it sell in today's marketplace?

9 Absolutely. I think people are going to
10 buy it and they're going to see it, and
11 it's going to be about the quantity of
12 the underlying real estate and it's
13 relative to what we call LTV, or
14 lien-to-value, loan-to-value, like in a
15 mortgage. It's lien-to-value. So people
16 are going to be looking at lien-to-value
17 and the total lien-to-value of how many
18 other outstanding assets they're sitting
19 on against this thing.

20 MR. DOMB: On the old values
21 from a year ago when we did the analysis,
22 we had almost 870 million of
23 delinquencies with real estate, water,
24 sewer, gas against 8.2 billion of real
25 estate. That was old. That was a year

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2 ago, which was about 11 percent. What
3 these guys tell us is that 35 percent or
4 less is very collectible. In simple
5 explanation, if you have a property worth
6 \$100,000, we, the City, have a lien
7 that's maybe 11 grand. That's very
8 collectible.

9 MR. WESTOVER: If the City ever
10 followed the New York City model,
11 Standard and Poor's has rated tranches.
12 They've got their buckets and they're
13 specific. It's based on age, the land
14 use classifications, residential,
15 commercial, industrial, vacant land. So
16 they tranche it out in different buckets
17 and they price it accordingly.

18 COUNCILMAN SQUILLA: But you do
19 think that that would be still sellable
20 or somebody would be interested in the
21 purchase of those liens that are three
22 years or older?

23 MR. WESTOVER: Yeah. Age --

24 MR. GALE: In the current
25 market, yes.

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2 MR. WESTOVER: Age is not as
3 important as lien-to-value ratio
4 certainly.

5 COUNCILMAN SQUILLA: And it
6 seems our lien-to-value ratio is low.

7 MR. WESTOVER: It sounds like
8 it.

9 MR. GALE: It sounds like it
10 from the data we've heard, yeah. And as
11 Brad said, they would tranche it out.
12 Whether it's a loan that you get for it
13 or a sale or a securitization, people
14 take it in tranches.

15 COUNCILMAN SQUILLA: And if the
16 City wants to take a delinquent property
17 for another use, will the lieners need to
18 be paid or can they swap or is there an
19 opportunity to move parcels? Because
20 that was some of the problems we had with
21 the last tax lien.

22 MR. WESTOVER: Yeah. The last
23 one didn't sound like it had provisions
24 to work collectively both ways. It's
25 pretty simple. In a purchase and sell

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2 agreement, you have provisions to allow
3 lien swapping or a lien buyback. If you
4 got a land bank interest or whatever,
5 whatever the case may be, you're not
6 locked in that it has to stay in that --

7 COUNCILMAN SQUILLA: In that
8 purchase agreement.

9 MR. GALE: Right. This is
10 again things we help you -- advise you on
11 as far as the different restrictions and
12 rules and things you put in place as far
13 as being -- the option for you to be able
14 to swap it out or to pay a reduced
15 interest rate if it's an error. And also
16 part of the whole process, as Brad had
17 mentioned earlier, is a cleaning process.
18 So you're going to have your agencies
19 look through it and then there's several
20 bidders, and they're all going to look
21 through it, and they're going to advise
22 you when they go to buy, like I don't
23 think this one is collectible, this is
24 owned by a government agency or this is a
25 strip or land or something like that.

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2 They'll let you know before they even
3 buy. So you have the right to pull that
4 out before the sale concludes. And we do
5 that a lot with a lot of organizations,
6 kind of doing almost like a self-auditing
7 process of what's left, and some get
8 outside auditors ahead of time to do
9 that.

10 COUNCILMAN SQUILLA: But all
11 this can be worked into an agreement
12 ahead of time before it's processed or
13 purchased?

14 MR. GALE: That's correct.

15 COUNCILMAN SQUILLA: And even
16 the same then with the payment plan
17 options, because we have a lot of
18 residents that are on payment plans.
19 That would also be taken under
20 consideration as far as --

21 MR. WESTOVER: Basically folks
22 that are in payment plans get opted out.
23 If they're going to enter into a payment
24 plan -- and it has to be reasonable.
25 I've heard there's payment plans in the

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2 City here that are 25 years, \$250 a year,
3 something. I mean, that's really not --
4 that's counterproductive to have those
5 kind of payment plan terms. But
6 generally if someone enters into a
7 payment plan before the sale date,
8 they're opted out of that transaction.

9 COUNCILMAN SQUILLA: They're
10 out altogether?

11 MR. WESTOVER: Correct.

12 MR. GALE: Yeah. You wouldn't
13 sell the lien on that. You could finance
14 it other ways, though. Again, there are
15 other ways to finance it, but you
16 wouldn't sell that.

17 Now, the question becomes what
18 happens if you sell and then they want to
19 enter into a payment plan. You can also
20 put into the rules that the buyers have
21 to accept a payment plan or it gets sold
22 back to the City and the City funds --
23 however you want to do it. Again, these
24 are all the options and things. There's
25 a plethora of them for various

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2 situations.

3 COUNCILMAN SQUILLA: So
4 whatever the City deems as a policy per
5 se, if they do that, they either buy it
6 back or then they get that property or
7 swap out another one for that since that
8 is now in the City's jurisdiction and
9 they'll be on the payment plan. But if
10 they're on a payment plan already, they
11 would opt out of the sale or they would
12 not be included.

13 MR. WESTOVER: Generally people
14 opt out. It's not to say you couldn't
15 basically have a sale exclusively with
16 folks that are in payment plans, but
17 they're obviously conditional upon what
18 are the terms of their payment plan. You
19 can't take that away from them. Yeah.

20 COUNCILMAN SQUILLA: Okay.
21 Well, thank you.

22 COUNCILWOMAN TASCO: We have a
23 37 percent poverty rate here. A lot of
24 people are struggling to pay these
25 mortgages every month, so they get behind

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2 in their taxes, and that's my concern
3 about some of this discussion. And I
4 looked at some of the properties in my
5 area and I have a lot of senior citizens.
6 They've been there for years and
7 maintained their properties, but now
8 they're not working. They're on Social
9 Security or whatever or some pension and
10 their taxes have increased. And so I
11 have a real concern about that.

12 MR. GALE: So the best way that
13 we've seen around the country is identify
14 them early, get them into programs,
15 because once they get so far behind, it
16 gets very hard to get them caught up.
17 But if we can identify them early and put
18 them in special programs and get them set
19 up in the right structure, whether it's
20 an assessment reduction because, again,
21 some have Save Our Homes down in Florida
22 which says your taxes can't increase more
23 than -- or your assessment can't increase
24 more than 3 percent a year or there's a
25 phase-in in Maryland that takes several

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2 years. You know in advance when your
3 taxes are going to increase and it's
4 phased in over a three-year period.
5 There's lots of different things that we
6 can do to help them to get them on a
7 proactive basis into these systems and
8 into these different structures to help
9 them on a long-term basis throughout
10 their life, but it's definitely about
11 getting to know who they are, what their
12 situation is, and getting them into the
13 right program early, because once -- if
14 it's ten years back, you know, it takes a
15 lottery to get them out of it. It
16 becomes very difficult.

17 COUNCILWOMAN TASCO: Thank you
18 very much.

19 Any other questions or --

20 COUNCILMAN SQUILLA: One last
21 thing too.

22 Mr. Domb, do you want to say
23 something?

24 MR. DOMB: I just wanted to say
25 our goal would be to have City Council

1 11/12/14 - FINANCE - BILL 140638, etc.
2 consider putting out a request for
3 proposal to hire a consultant in order to
4 analyze the old debt and make a
5 suggestion for the best practices on how
6 to move forward, whatever it may be.

7 COUNCILMAN SQUILLA: All right.
8 Good. I mean, if we could work with
9 Commissioner Tolson and the Revenue
10 Department and maybe we could even set up
11 a meeting with some of you folks and them
12 to come up with what would be amenable to
13 the Administration and Council to do
14 something like that. I mean, I'm all in
15 favor -- and also we'll leave this open
16 to the call of the Chair to see after we
17 meet together and maybe meet with the
18 Commissioner's office to see what
19 direction maybe we need to go, and maybe
20 it would be something that the
21 Administration might want to do on their
22 own to put an RFP out.

23 So let's leave that up.
24 Hopefully we could get together and maybe
25 share information with the Commissioner's

1 11/12/14 - FINANCE - BILL 140638, etc.
2 office and get on a good dialogue.

3 Thank you.

4 MR. GALE: I think all of us
5 are supportive of trying to be a help.
6 That's all we want to be, is a help to
7 the process in any way we can.

8 COUNCILWOMAN TASCO: Thank you.

9 COUNCILMAN SQUILLA: That's
10 great. We like help.

11 COUNCILWOMAN TASCO: Thank you
12 very much.

13 Our next panel will include
14 Sharon Humble, Linebarger Goggan Blair
15 and Sampson, and Michael McCabe.

16 (Witnesses approached witness
17 table.)

18 COUNCILWOMAN TASCO: Sharon, if
19 you could kind of briefly -- we know you,
20 what you've done. Don't give us the
21 whole cow. We know it's beef. We have
22 another hearing scheduled. We don't mean
23 to shortchange you, but --

24 MS. HUMBLE: Sure. I
25 understand.

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2 My name is Sharon Humble. I'm
3 Managing Partner of Linebarger Goggan
4 Blair and Sampson here in Philadelphia.
5 I serve as the lead counsel for our
6 contracts with the City and I've been an
7 equity partner with my law firm for 14
8 years of the 24 years that I have been
9 with the firm.

10 I am here today to testify on
11 the collection of the delinquent taxes
12 owed to the City of Philadelphia and the
13 use of third-party collection agencies,
14 and I want to attempt to explore the
15 larger efforts by the City, and my
16 testimony focuses on our work to maximize
17 the revenue collections for the City and
18 the School District, our work collecting
19 the City's real estate tax claims that
20 were sold in the 1997 Philadelphia tax
21 lien securitization, and our experience
22 and perspective with the sale of tax
23 liens.

24 One thing I did want to be
25 clear about is, I know we've spoken many

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2 times with all the different
3 Councilmembers, different members of the
4 Administration, working very hard to
5 consider all the different options for
6 increasing and improving tax collections
7 and implementing what we can every time
8 that we get the new good ideas and every
9 time a new program comes in place. So we
10 welcome all of the interests and all the
11 opportunities to help, and I am thrilled
12 to be participating in today's hearing.

13 Our firm's primary focus is
14 maximizing the revenue collections for
15 public-sector clients while delivering
16 excellent customer service to the
17 constituents. Linebarger is a national
18 leader in the collection services for
19 governments. We collect a variety of
20 receivables for over 2,200 local, state,
21 and federal government clients, including
22 delinquent real estate taxes, delinquent
23 business personal property taxes, fees,
24 fines, service charges, tolls, and other
25 miscellaneous receivables.

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2 One thing I want to state is
3 that in our other cities where we collect
4 delinquent real estate taxes where the
5 tax liens are not sold, we have 97, 98,
6 99 percent collection rate. So that is
7 without selling the tax liens, and what
8 that involved was the backlog was worked,
9 and once it was worked, it brought
10 everybody current and they've been able
11 to stay mostly that way.

12 Linebarger represents clients
13 in 21 states and serves our clients from
14 43 offices across the country, including
15 in Philadelphia. We collect over one
16 billion every year for our clients. We
17 offer the City of Philadelphia three and
18 a half decades of collection experience,
19 including over 17 years in our
20 Philadelphia office.

21 We developed collection
22 programs customized to each client, and
23 we've invested over \$60 million in our
24 technology advances over the years. We
25 have technology and call center offices

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2 in Harrisburg, Chicago, Denver, San
3 Antonio, Houston, and Dublin, Ohio.

4 We are also very proud of our
5 ethical record, which is unfortunately
6 all too rare in the collection industry.
7 We've never had a judgment levied against
8 us for violating collection laws or
9 regulations. No client has ever
10 terminated a contract with our firm due
11 to inappropriate collection activities.
12 And we credit our outstanding record to
13 daily attorney oversight and involvement,
14 rigorous ongoing training, and detailed
15 recordkeeping and account management.

16 We have exceptional resources
17 for successful management of the City's
18 collection projects. Nationwide, we have
19 over 1,200 employees, including 250
20 highly trained collection staff, 130
21 information technology professionals, and
22 100 attorneys. We are committed to
23 hiring the best people and providing them
24 with the best technology to generate
25 higher liquidation rates for our clients.

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2 Locally, we employ 34 people in our
3 Philadelphia office.

4 Our Philadelphia office has
5 provided collection services in the City
6 since 1997. Our work started with the
7 Philadelphia Authority for Industrial
8 Development's tax lien securitization in
9 which 33,000 delinquent real estate tax
10 claims comprised of 250,000 tax liens
11 originally owing approximately \$105
12 million in real estate taxes assessed by
13 the City and School District of
14 Philadelphia but discounted for sale to
15 \$75 million were sold into a trust for
16 the bondholders investing in the bond
17 issued. In the securitization, the City
18 could receive some money up front for its
19 tax liens while the actual collection
20 work on the tax liens occurred over time.
21 This Wall Street transaction was insured
22 by Municipal Bond Insurance Agency, MBIA.
23 However, because a large number of the
24 accounts in the portfolio were secured by
25 properties that were vacant, abandoned or

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2 whose tax liens exceeded their market
3 values, it has required a great deal of
4 foreclosure work to take almost half of
5 the portfolio through foreclosure
6 Sheriff's Sale in order to realize the
7 revenues secured by the tax liens. In
8 fact, we are still working through this
9 portfolio taking properties to Sheriff's
10 Sale and we are still administering
11 payment plan agreements for low-income
12 taxpayers whose accounts were included in
13 the transaction. We are proud to be
14 providing this service because this is
15 the core of our legal practice. But we
16 do not think that at the beginning of the
17 transaction anyone - the City, the
18 trustee, MBIA, the bond investors, the
19 investment bankers, Wall Street - thought
20 the collections would still be going on
21 17 years later. But we did, because
22 these properties were very long
23 delinquent and in many cases were
24 occupied by people who could not afford
25 to pay the taxes all at once. Moreover,

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2 the market for these properties at
3 Sheriff's Sale, sold in greater volumes
4 to bring the revenues in at a much more
5 rapid pace, did not yet exist. As part
6 of our work in the tax lien
7 securitization, we spent significant
8 resources to provide media support,
9 publicity, and extensive advertising to
10 spur awareness for the need to pay taxes
11 and to create interest in the acquisition
12 of these properties. We saw attendance
13 at Sheriff's Sales go up approximately
14 from 30 bidders in the small room each
15 month to over 800 bidders in the ballroom
16 each month. To date, we have filed over
17 13,200 civil tax actions, sold over 9,000
18 properties, and collected over \$100
19 million for the tax lien securitization
20 portfolio.

21 We have also represented the
22 City directly in the collection of the
23 delinquent real estate taxes since 2004.
24 To date, we have collected over \$238
25 million for the City and School District

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2 of Philadelphia. We have achieved these
3 results through mass and specialized
4 mailings of collection letters, telephone
5 calling, in-person meetings, payment plan
6 agreements, the filing and prosecution of
7 foreclosure lawsuit filings, defending
8 the City's tax claims at Tax Review Board
9 hearings, handling appeals from the Tax
10 Review Board and the Court of Common
11 Pleas, tracking the status of properties
12 sidelined from collections by bankruptcy
13 filings, and taking properties through
14 Sheriff's Sale.

15 Our office is located in the
16 heart of Center City two blocks from City
17 Hall. Our team provides personal
18 attention to taxpayers and their
19 representatives. We also maintain an
20 Express Taxpayer Assistance Office
21 conveniently located in the SEPTA
22 Concourse for making payments or seeking
23 help to resolve accounts. This was an
24 innovation of ours, together with the Law
25 Department, and it is now a national

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2 model for constituent service in urban
3 environments.

4 The best way to understand this
5 process is for us to lay out the steps
6 that go into a typical collection case,
7 although few cases are ever typical. We
8 start by mailing letters to the
9 delinquent taxpayers to notify them that
10 we represent the City and School District
11 of Philadelphia in the collection of
12 delinquent taxes. The letter campaigns
13 are accompanied by telephone calling
14 campaigns. We seek to get the taxpayers
15 to pay in full or enter into payment plan
16 agreements. Our first mailings to the
17 taxpayers and periodic mailings through
18 the years include copies of our Taxpayer
19 Assistance Brochures, which we developed
20 for the use in Philadelphia and which we
21 are proud are copied by our competitors,
22 sometimes literally. A copy of our
23 Taxpayer Assistance Brochure is provided
24 to you with your packet.

25 All of our mailings include a

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2 detailed delinquent tax statement showing
3 the full amounts due, a payment coupon,
4 and an envelope for mailing in the
5 payment.

6 We keep the pressure on the
7 taxpayers about their obligations,
8 mailing and calling them on a regular
9 basis to get them to start paying and to
10 keep them making their payments when they
11 are in long-term agreements and tempted
12 to stop paying. We provide a great deal
13 of taxpayer assistance in providing
14 account research and helping taxpayers
15 track and understand the application of
16 their past payments to their accounts.
17 Since 2008 in Philadelphia, we have
18 mailed over 803,000 collection letters
19 and made more than 207,562 telephone
20 collection calls.

21 If we cannot find or locate
22 taxpayers, such as when the mail sent to
23 them is returned as undeliverable to us
24 or if we cannot get a phone number for
25 them, we conduct skip-tracing to try to

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2 locate updated addresses, new owners, and
3 telephone numbers for the taxpayers. But
4 not all record owners can be located.
5 Approximately one-third of our portfolio
6 of accounts owing over \$62 million from
7 the City is comprised of accounts for
8 which there is no good address or phone
9 number to reach the owner. This
10 indicates that the properties are vacant
11 or abandoned and no one could be found to
12 pay the taxes. The only way to realize
13 the tax revenues from these accounts is
14 to sell them at Sheriff's Sale. In many
15 cases, these accounts represent the
16 vacant lots, dilapidated structures, and
17 substandard buildings that are the target
18 subjects for acquisition by the City's
19 new Land Bank, the City's Redevelopment
20 Authority, the blight remediation
21 non-profits and for-profit companies, and
22 the community garden activists.

23 In many cases the neighbors
24 want to acquire the properties to use
25 them for off-street parking or side

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2 yards, but they don't have to, because if
3 the property is not easily developed,
4 nobody is going to bid on it and they can
5 continue to use it for free. In other
6 cases, depending on the all-important
7 factor of location, developers want the
8 properties for their land assemblage
9 goals. Because these properties do have
10 substantial market-rate prospects, in our
11 experience, the tax liens for these
12 accounts are not the ones that the tax
13 lien buyers or the tax lien sale
14 advocates are pushing for the City to
15 sell to them.

16 The real property taxes for
17 properties in their first seven to ten
18 years of delinquency, occupied
19 residential properties, and rental
20 properties, both commercial and
21 residential, are almost always 100
22 percent collectible once legal
23 enforcement action is timely referred to
24 collection and undertaken, because their
25 lien-to-value ratios usually have not yet

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2 grown to the point where the amounts of
3 the liens exceed the values of the
4 properties.

5 COUNCILWOMAN TASCO: Sharon?

6 MS. HUMBLE: Yes, ma'am.

7 COUNCILWOMAN TASCO: Are you
8 going to take us through all these pages?
9 Please, could you just please try and
10 summarize what you think we might be able
11 to do to increase our property taxes.

12 MS. HUMBLE: I think we're
13 doing it. I think if the City were to
14 invest some more money in opening up the
15 capability for the courts and the
16 Sheriff's Office to handle more
17 foreclosures, that would work, but there
18 are certain policies that necessarily
19 limit what we can do. And the City has
20 invested a great deal of time and expense
21 already to provide these policy
22 decisions, whether it's on the payment
23 plan agreements or the recent City
24 legislation aimed at providing the
25 financial relief for the low-income

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2 taxpayers, the OOPPA agreements, for
3 example, the Owner-Occupied Payment Plan
4 Agreements.

5 COUNCILWOMAN TASCO: Well, this
6 is a resolution to discuss and not to
7 pass any legislation to change what we're
8 doing right now or enhance it. So what
9 I'd like to do is have your testimony,
10 all of it will be part of the record. So
11 if we get to that point where there's
12 future discussion, then Councilman
13 Squilla -- there is no bill now. There's
14 no bill. This is just a discussion, like
15 we would have had in the Caucus Room, but
16 we made it a public discussion.

17 So we will have all of this
18 information. I do have a hearing here
19 and people are waiting, and since we're
20 pretty much familiar with your process
21 and it's not here to cast any dispersions
22 or blame anybody for anything, it's just
23 a discussion to see how maybe things can
24 be enhanced. So once you read material
25 that's come today, you hear from the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Commissioner, then we'll have further
3 discussion on this.

4 MS. HUMBLE: That sounds good
5 to us. I mean, there was a lot of
6 discussion with the panel before us
7 regarding the 1997 tax lien
8 securitization. There's a lot of
9 criticism of it but, quite frankly, I
10 think in the room probably I'm the person
11 who knows the most about what happened
12 with that securitization, and I think
13 some of the information provided was
14 incorrect and at some point we would like
15 the ability to --

16 COUNCILWOMAN TASCO: Well, what
17 you'd like to do, if you want to read the
18 testimony today and respond to it and
19 correct, you have a right to send that to
20 us.

21 MS. HUMBLE: Okay.

22 COUNCILMAN SQUILLA: And we
23 plan to have another hearing --

24 COUNCILWOMAN TASCO: We'll have
25 another hearing.

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2 COUNCILMAN SQUILLA: -- on this
3 before anything is introduced.

4 I just have two quick
5 questions. How many properties do you
6 have left still from that?

7 MS. HUMBLE: I am not permitted
8 to disclose that publicly because it's
9 still confidential information, as goes
10 the tax lien securitization. I can let
11 you know as the City, but I can't
12 disclose it publicly.

13 COUNCILMAN SQUILLA: Can you
14 say how many you got?

15 MS. HUMBLE: Originally there
16 was 33,000 accounts in the tax lien
17 securitization and there were two other
18 servicers hired. One went out of
19 business within a year and a half, two
20 years of the entire program. A tax lien
21 buyer went out of business. And
22 approximately a year after that the other
23 one went out of business as well. So all
24 of the remaining tax liens were
25 transferred to our firm to continue

1 11/12/14 - FINANCE - BILL 140638, etc.
2 handling the servicers.

3 COUNCILMAN SQUILLA: So what
4 was the total number, all of those?

5 MS. HUMBLE: Thirty-three
6 thousand.

7 COUNCILMAN SQUILLA: So you
8 have less than that now.

9 MS. HUMBLE: We have less than
10 that. We sold 9,000 of those at
11 Sheriff's Sale. That will give you an
12 indication of how many had to be sold.

13 COUNCILMAN SQUILLA: Okay. All
14 right. And so there's still some more
15 out there, obviously.

16 MS. HUMBLE: Yes. Yes.

17 COUNCILMAN SQUILLA: All right.
18 Thank you.

19 COUNCILWOMAN TASCO: We
20 appreciate you for your service and your
21 hard work and what you've done so far.

22 Do you want to testify and
23 summarize your testimony, sir? Do you
24 want to testify?

25 MR. McCABE: Yes. I'll do my

1 11/12/14 - FINANCE - BILL 140638, etc.

2 best, Chairwoman Tasco.

3 COUNCILWOMAN TASCO: Excuse me.

4 Councilwoman Blackwell has some comments
5 to make.

6 COUNCILWOMAN BLACKWELL: I
7 wanted to thank Ms. Humble, because we've
8 been working with her for many, many
9 years. And not only has she been always
10 responsive when it comes to constituents
11 and people problems, albeit it is her job
12 to deal with this on the other side of
13 the fence, but she's always been
14 responsive, and even when we have issues
15 with homeless people, she's been there,
16 her organization has been there, and we
17 want to say thank you.

18 MS. HUMBLE: Thank you. You're
19 welcome.

20 COUNCILWOMAN TASCO: Thank you
21 very much.

22 You want to proceed.

23 MR. McCABE: You're welcome.

24 Thanks for the opportunity to testify
25 today. My name is Michael McCabe. I'm a

1 11/12/14 - FINANCE - BILL 140638, etc.
2 shareholder with GRB Law, a Pennsylvania
3 law firm in existence for more than 100
4 years. Our Philadelphia office is
5 located at 1425 Spruce Street. My wife
6 and I, we also maintain a residence at
7 1425 Locust Street.

8 Mandy Scott, one of our
9 shareholders, is here. George Baker is
10 in the audience, who is our attorney in
11 Philadelphia who manages our litigation
12 side and tends and handle the Sheriff
13 Sales each month, and our law firm
14 partners, Denise Smyler and Wadud Ahmad
15 are also here. Denise's firm helps us
16 significantly in our civil tax action
17 hearings, Tax Review Board hearings, and
18 doing a lot of work behind the scenes to
19 locate taxpayers and provide skip-tracing
20 services for us.

21 GRB Law represents a
22 significant number of public-sector
23 clients in a variety of legal matters,
24 including the collection of delinquent
25 real estate taxes and municipal claims

1 11/12/14 - FINANCE - BILL 140638, etc.
2 pursuant to the Pennsylvania Municipal
3 Claim and Tax Lien Law, which is the same
4 law that is followed by Philadelphia.

5 In 2003 and 2004, I was asked
6 to draft legislation to permit
7 municipalities, including Philadelphia,
8 to be able to recover their attorney fees
9 and costs of collection and expenses as
10 part of their delinquent claim. These
11 laws permit GRB Law to provide collection
12 services to Philadelphia on a contingent
13 fee basis. The delinquent taxpayer pays
14 our fees. We advance all expenses. We
15 are compensated only if we collect.
16 Thus, our collection of delinquent taxes
17 for Philadelphia is provided without any
18 expense to the City.

19 We also assist our clients in
20 collecting a variety of other municipal
21 claims and taxes as well. We represent
22 more than 150 municipalities and school
23 districts in tax and municipal claim
24 collection matters, including the four
25 largest taxing bodies in Pennsylvania -

1 11/12/14 - FINANCE - BILL 140638, etc.
2 Philadelphia, Allegheny County,
3 Pittsburgh, and the Pittsburgh School
4 District. We have handled tens of
5 thousands of civil tax actions and
6 Sheriff Sales. We have also advised
7 Allegheny County in several tax lien
8 sales, which the county did, as well as a
9 more recent tax receivable transaction,
10 which was a lot more creative and a lot
11 less disruptive on the taxpayers.

12 GRB Law was selected to
13 represent the City of Philadelphia in
14 September 2009. Amnesty followed us
15 right after we started. So for a period
16 of time, the accounts were removed while
17 amnesty was taking place, and then in
18 April of 2011, the accounts were
19 re-referred back to us. Since then,
20 there has been significant meaningful
21 changes in the manner in which outside
22 counsel is used in the collection of
23 delinquent real estate taxes.

24 Attached to the testimony I
25 submitted, there are two charts. One of

1 11/12/14 - FINANCE - BILL 140638, etc.
2 them deals with our delinquent
3 collections by fiscal year and month and
4 the other deals with the past due
5 collections.

6 Earlier Commissioner Tolson
7 testified as to the City's efforts to
8 take first-year past due taxpayers before
9 they become delinquent and made calls.
10 So we also provide those services for the
11 City in addition to the delinquent
12 services we provide.

13 I refer you to the delinquent
14 collection totals by month and by fiscal
15 year. Our delinquent collections for the
16 2013-2014 fiscal year were approximately
17 \$34 million. That was \$14 million more
18 than the prior fiscal year. Already in
19 this fiscal year we have collected more
20 than \$12,500,000 in delinquent real
21 estate taxes. Presently, we're more than
22 \$2.5 million ahead for the same quarter
23 of last fiscal year. So things continue
24 to increase. Things continue to get
25 better, which is certainly consistent

1 11/12/14 - FINANCE - BILL 140638, etc.
2 with Commissioner Tolson's testimony as
3 well.

4 On the past due collections, I
5 have some statistics here. You can read
6 them, but essentially we've collected
7 tens of millions of dollars over the last
8 three years. This program was started in
9 2012, and it shows that there's been
10 certainly a lot of progress made in
11 keeping past due taxpayers from becoming
12 delinquent taxpayers. By staying in
13 constant contact with taxpayers, these
14 call campaigns have expedited revenue
15 collection and reduced the number of
16 single-year tax delinquents.

17 At the same time, our
18 delinquent collection efforts have
19 focused on both short term, those
20 delinquencies that are within three
21 years, but also a significant number of
22 our efforts have been placed going after
23 longer term delinquency properties
24 against some of those long-term
25 delinquent lien properties and getting

1 11/12/14 - FINANCE - BILL 140638, etc.
2 them back on the tax rolls.

3 I will add too as far as
4 analytics go, we just don't take things
5 for chance. We do something called our
6 due diligence process. We do look at
7 lien-to-value ratios on properties. We
8 do look at the value of properties in
9 certain neighborhoods, what properties
10 are selling for.

11 Recently, there was an article
12 about gentrification. There were several
13 articles that appeared in the paper, and
14 it was interesting that Kevin Gillen had
15 given some statistics in that article
16 about some of the rental areas in
17 Philadelphia where a lot of properties
18 are renting and a lot of properties are
19 being developed. We looked at every one
20 of those ten zip codes, because that was
21 the kind of thing that we do, to see how
22 we're doing in those areas, because we
23 had targeted most of those areas to
24 collect. We had very few properties
25 within those areas that we had not

1 11/12/14 - FINANCE - BILL 140638, etc.
2 already pursued either by collection
3 notices, letters, phone calls, and many
4 Sheriff Sale actions which were started
5 against some of those properties as well.
6 So this ongoing due diligence is what we
7 do to try to find the most collectible
8 accounts, get properties back on the tax
9 rolls. Some of them are easy. Some of
10 them you look at and you say it's a
11 several hundred thousand dollar property
12 with a few thousand dollars worth of
13 taxes. Some of them have 15 to 20 years
14 of delinquency, but we find they're in an
15 area that's developing, we can sell them
16 and recover some of the taxes for the
17 City.

18 Since July 2011, GRB collected
19 \$71 million in delinquent real estate
20 taxes and \$42.5 million in past due real
21 estate taxes, resulting in total
22 collections of \$113,500,000. That number
23 does not even include the Sheriff Sale
24 proceeds due to the Sheriff or held by
25 the Sheriff and awaiting collection. So

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2 we sell properties at sale. The bidder
3 pays their money. A lot of times it
4 takes the Sheriff through their processes
5 several months to get the money out to
6 the City. So there's another \$3.5
7 million right now that should be coming
8 over the next few months in collections
9 that we've already made.

10 At the end of the 2013-2014
11 fiscal year, I was asked by the Law
12 Department's tax chair, Dan
13 Cantu-Hertzler, to explain reasons for
14 the significant improvement in GRB Law
15 collections on behalf of the City. In
16 response, I included the following:

17 Number one, since the end of
18 tax amnesty, we have had considerable
19 time to ramp up collections and
20 enforcement proceedings without
21 interruption, which has gradually led to
22 our current performance. You just can't
23 start collecting on day one and have
24 amazing results. It takes a significant
25 amount of time not only getting the

1 11/12/14 - FINANCE - BILL 140638, etc.
2 notices out, getting people on payment
3 plans, making follow-up phone calls,
4 bringing foreclosure actions where
5 they're necessary, and after months and
6 months of that, finally you start to gain
7 momentum and the money starts to come in.

8 GRB and the City negotiated
9 changes to our provider agreement to
10 increase administrative and collection
11 efficiencies for both the City and GRB.
12 As a result, more staff time is devoted
13 to collecting taxes. Invoices are being
14 paid on a predictable regular basis,
15 which put us in a position that we could
16 increase staff, lease additional space,
17 and advance considerable out-of-pocket
18 expenses necessary to maintain the
19 significant numbers of Sheriff Sale
20 petitions we file each month.

21 Number three, we have added
22 four full-time attorneys to our
23 Philadelphia office. We have more than
24 tripled our dedicated Philadelphia staff
25 over the past three years, and we have

1 11/12/14 - FINANCE - BILL 140638, etc.
2 leased 50 percent more contiguous office
3 space in Philadelphia. Each of our
4 Philadelphia attorneys has considerable
5 experience representing Philadelphia in
6 delinquent tax collection matters. All
7 of our Pittsburgh attorneys supporting
8 Philadelphia have years of dedicated
9 experience in past due and delinquent tax
10 and municipal claim collection in
11 Pennsylvania. We have two separate call
12 centers, delinquent and past due,
13 dedicated to Philadelphia collections
14 only.

15 COUNCILWOMAN TASC0: I think
16 you're going to repeat some of the stuff
17 that Sharon said. We do have your
18 testimony, which will become part of the
19 official record. And, again, this is
20 just a discussion. It doesn't question
21 anybody's performance.

22 MR. McCABE: No. Believe me, I
23 do understand that.

24 COUNCILWOMAN TASC0: So we're
25 going to have to terminate this hearing,

1 11/12/14 - FINANCE - BILL 140638, etc.
2 because I do have other people waiting
3 for the next hearing. But we do -- one
4 of the things I do appreciate about your
5 firm is the diversity of staff and your
6 subcontractors, and we do appreciate
7 that, because Philadelphia is very much
8 concerned about diversity of
9 participation in contracts that we have.
10 And we appreciate that.

11 MS. HUMBLE: You're welcome.

12 MR. McCABE: Thank you very
13 much. If you could please read the
14 balance of the testimony if you'd like.
15 I had some additional points. But I
16 would add just one last point, is that
17 there are a significant number of poor
18 taxpayers in Philadelphia. We presently
19 have over 5,400 active payment plans.
20 Thirteen hundred plus are under the new
21 Owner-Occupied Payment Plan Agreements.
22 We do work with those taxpayers every
23 day. It's a very daunting experience to
24 have to deal with this to begin with, and
25 through the compassion and help of our

1 11/12/14 - FINANCE - BILL 140638, etc.
2 staff, we're able to get people that
3 would never come forward onto these
4 longer term Owner-Occupied Payment Plan
5 Agreements, which is significant. I
6 mean, it's saving a lot of people's
7 properties.

8 And I would also say one last
9 point is that we do talk about Sheriff
10 Sales a lot. There are a significant
11 number of taxpayers who don't respond to
12 collection notices and don't respond to
13 phone calls. So we're forced to have to
14 bring a legal action against them, but
15 what we found is, the Sheriff Sale
16 process ends up being our best collection
17 tool. We bring properties to sale in
18 upwards of more than 500 new Sheriff Sale
19 petitions a month, and an overwhelming
20 majority of those individuals get on
21 payment plans or pay in full far before
22 the actual Sheriff Sale happens. So it's
23 a great collection tool. But when you
24 hear foreclosure, it doesn't always mean
25 that we're selling a property or putting

1 11/12/14 - FINANCE - BILL 140638, etc.
2 somebody out of their property.

3 So with that, I thank you for
4 the opportunity.

5 COUNCILWOMAN TASCO: We thank
6 you both for the opportunity.

7 Thank all of you who have come
8 out today to participate in this hearing.
9 I'm sorry that we are pressed for time,
10 which sometimes we're pressed for time,
11 not only today but for the ending of our
12 Calendar. So our hearing schedule is
13 pretty clogged. So something like this
14 takes a while to discuss. The sponsor of
15 this resolution will proceed to do
16 whatever he --

17 COUNCILMAN SQUILLA: We're
18 going to leave it to the call of the
19 Chair for future hearings. And, again, I
20 do appreciate both of you guys, knowing
21 that what you do and communication with
22 our staff is so necessary, and thank you
23 for all of the work, and hopefully we
24 work together, work with the Commissioner
25 and the Revenue Department into making

1 11/12/14 - FINANCE - BILL 140638, etc.
2 this even a bigger and better process for
3 our tax collections.

4 Thank you.

5 MS. HUMBLE: Thank you.

6 COUNCILWOMAN BLACKWELL: I
7 agree.

8 COUNCILWOMAN TASC0: Thank you
9 very much.

10 This Committee is recessed to
11 the call of the Chair. Thank you.

12 (Committee on Finance recessed
13 at 1:40 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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