

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

City Hall
Room 400
Philadelphia, Pennsylvania
Wednesday, May 22, 2024

PRESENT:

COMMITTEE CHAIR JAMIE GAUTHIER
COUNCILMEMBER CINDY BASS
COUNCILMEMBER KENDRA BROOKS
COUNCILMEMBER MICHAEL DRISCOLL
COUNCILMEMBER CURTIS JONES, JR.
VICE CHAIR RUE LANDAU
COUNCILMEMBER NICOLAS O'ROURKE
COUNCILMEMBER MARK SQUILLA
BILL 240245

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3 - - -
COMMITTEE CHAIR GAUTHIER: Good

4 afternoon, everyone. Please take your seats,
5 we're going to get started.

6 I now note that the hour has come and
7 this hearing is called to order. This is the
8 public hearing of the City Council Committee on
9 Housing, Neighborhood Development, and the
10 Homeless. The purpose of this public hearing is
11 to hear testimony on bill number 240245.

12 Good afternoon to all the committee
13 members. Ms. Jones, would you please call the
14 roll?

15 THE CLERK: Councilmember Bass?

16 COUNCILMEMBER BASS: Present.

17 THE CLERK: Councilmember Driscoll?

18 COUNCILMEMBER DRISCOLL: Present.

19 THE CLERK: Oh, sorry. Excuse me.

20 Councilmember Bass?

21 (No response.)

22 THE CLERK: Councilmember Driscoll?

23 (No response.)

24 THE CLERK: Councilmember Squilla?

25 (No response.)

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2 THE CLERK: Councilmember Jones?

3 COUNCILMEMBER JONES: Present.

4 THE CLERK: Vice Chair Landau?

5 VICE CHAIR LANDAU: Present.

6 THE CLERK: Chair Gauthier?

7 COMMITTEE CHAIR GAUTHIER: Present.

8 Thank you, Ms. Jones. I note for the record that
9 a quorum of this committee is present and the
10 hearing is called to order. I'm pleased to chair
11 this very important meeting of the committee on
12 Housing, Community Development and the Homeless.

13 Today we will discuss making our city's
14 nationally acclaimed eviction diversion program
15 the permanent law of the land. I want to start by
16 taking us back to the EDP's origins four years
17 ago. Pre-COVID Philadelphia had an eviction
18 addiction. Even if you won your case, being taken
19 to landlord tenant court became a scarlet letter
20 for thousands of renters every year, trapping them
21 in a -- in a spiral of housing insecurity.
22 Landlords had to wait months for restitution
23 because the municipal court couldn't keep up with
24 the caseload and the entire city footed the bill
25 for the societal cost of rampant evictions such as

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2 higher rates of homelessness, unemployment, and
3 health problems.

4 So when the pandemic struck and
5 someone's home became even more critical to their
6 safety and well-being, we knew we had to act.
7 Councilmember Brooks and I joined forces with then
8 Councilmember Helen Gimm and our community
9 partners, many of whom are here today and the
10 eviction diversion program was born. Since then
11 the eviction diversion program has received
12 national praise, including from the White House
13 and Governor Josh Shapiro, for creating a
14 successful eviction alternative.

15 When coupled with rental assistance, the
16 eviction diversion program is one of our city's
17 most effective anti-displacement programs ever.
18 And it is a racial justice program, too, because
19 an overwhelming majority of tenants who face
20 eviction are single black mothers. Eviction
21 diversion is a win for tenants who have the
22 opportunity to remain in their homes or make a
23 graceful exit without being damned to a lifetime
24 of housing insecurity.

25 It is a win for landlords who avoid

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2 expensive legal fees and turnover and vacancy
3 costs, while also having the opportunity to
4 receive restitution months faster than they would
5 otherwise. It is a win for the municipal court
6 which can hear cases sooner and focus on
7 situations where judicial intervention may be
8 required. And it is a win for our neighborhoods,
9 which remain stable and welcoming to residents
10 from all socioeconomic backgrounds.

11 Thanks to the eviction diversion
12 program, we have an average of 10,000 fewer
13 evictions every year than we did pre-pandemic.
14 That's 10,000 families who would otherwise undergo
15 one of the most traumatic and destabilizing
16 experiences possible because a safe, stable, and
17 affordable home is a bedrock of a successful life
18 in healthy communities. As rent and housing costs
19 continue to soar, the eviction diversion program
20 remains just as important for the safety and
21 vitality of our neighborhoods as it was in 2020.
22 We cannot stand by and let the eviction floodgates
23 reopen when this program expires at the end of
24 June.

25 That's why I'm proud -- that's why I was

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2 proud to cointroduce a bill that would make the
3 eviction diversion program permanent, alongside
4 Minority Leader Kendra Brooks, Minority Whip
5 Nicholas O'Rourke, and our committee Vice Chair,
6 Rue Landau. I also want to acknowledge our co-
7 sponsors, Majority Whip Thomas, Deputy Majority
8 Whip Bass, Councilmember Ahmad, Councilmember
9 Jones, Councilmember Lozada, Councilmember
10 Harrity, Councilmember Driscoll, and Councilmember
11 Squilla. Thank you all for recognizing that as
12 rent and housing costs continue to soar, eviction
13 diversion remains critically important for the
14 stability of our neighborhoods.

15 Lastly thank you to everyone who is here
16 today to testify, provide public comment, or just
17 listen. We appreciate and value your partnership
18 and your participation. And I want to note for
19 the record the participation of Minority Leader
20 Kendra Brooks. Do any of the committee members
21 have opening remarks? Vice Chair Landau.

22 VICE CHAIR LANDAU: Thank you very much.
23 And thank you all for being here today. I just
24 wanted to take a second to recognize the
25 importance of this moment for me. When the

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2 eviction diversion bills were originally passed, I
3 was working for the city of Philadelphia running
4 the Fair Housing Commission. And was working at
5 night with the staff of so many of our council
6 people here, working with them to help create the
7 bills, to help craft them, to, to make sure that
8 the six bills that we had at the time were, were
9 working in the right way.

10 And as a former community legal services
11 lawyer, represented tenant -- low-income tenants
12 for 10 years. And then as somebody who ran the
13 Fair Housing Commission, I know firsthand how much
14 this is a racial and economic justice issue for
15 the city of Philadelphia. And I also know, as
16 I've been doing this for so many years, how rents
17 in Philadelphia have increased exponentially while
18 oftentimes habitability of housing has not.

19 And while we're still working on all of
20 these issues. To me and to all of us here, this
21 necessary pause in this process, this just pause
22 that creates a time where landlords and tenants
23 can just get together for a moment and see if they
24 can work out issues before a complaint is filed in
25 municipal court, which would be a mark on people's

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2 evictions records for -- forever, that this is the
3 way -- this is the right and just way to create a
4 system that is humane and equitable throughout
5 Philadelphia. And as we continue on with this
6 pause we will always also make sure that we're
7 tackling as many of the other issues as possible
8 so people can live in safe, affordable, accessible
9 housing anywhere in the city of Philadelphia that
10 they want to live. Thank you.

11 COMMITTEE CHAIR GAUTHIER: Thank you,
12 Vice Chair. And I also want to note for the
13 record the participation of Minority Whip
14 O'Rourke.

15 COUNCILMEMBER JONES: Ma'am?

16 COMMITTEE CHAIR GAUTHIER: Minority
17 Leader Brooks? Oh, I'm sorry. Councilmember --

18 COUNCILMEMBER JONES: I yield to her and
19 then --

20 COMMITTEE CHAIR GAUTHIER: Okay. And
21 then -- and then you. Go ahead.

22 COUNCILMEMBER BROOKS: Good afternoon.
23 Nearly four years ago, our city made a historic
24 stride in eliminating evictions and making the
25 eviction process more fair to renters and small

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2 landlords. During the height of a global COVID
3 pandemic, a small coalition came together to
4 ensure that we kept Philly residents safe in their
5 homes. And I was proud to be a part of that
6 coalition and help lead those efforts in setting
7 up our eviction diversion program. And it was a
8 piece of a visionary legislation that has only
9 became more popular over time.

10 While it was an honor to be a part of
11 those efforts, what I have seen over the last four
12 years brings me even more pride. Our eviction
13 diversion program was implemented and the
14 residents began using it and it was praised by
15 housing advocates, municipal officials, the
16 governor, and even President Joe Biden's
17 administration. The legislation saved thousands
18 from evictions and has been touted as a national
19 model. It elevated Philadelphia as a leader on
20 this issue. And to this day, our city still gets
21 inquiries about how other cities can set up their
22 own eviction diversion program.

23 We have recently seen President Biden
24 also make housing affordability a key plank in his
25 reelection campaign. Right here in Philly the

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2 data's showing the success of the program
3 continues to grow. Because of this program an
4 astounding 45 percent of renters who are facing
5 eviction are able -- are able to reach an
6 agreement with their landlord outside of court and
7 avoiding getting life threatening eviction filing
8 on their record.

9 Even as eviction started rising
10 dramatically in other cities over the pandemic, we
11 were able to keep Philadelphia's eviction rate
12 temporarily low. The Princeton eviction lab has
13 found that we have 10,000 fewer evictions every
14 year than the annual average before the diversion
15 program. In every council district we have seen
16 hundreds and thousands of families use the
17 programs as more and more Philadelphians are
18 educated on it. As small landlords and renters
19 are able to go through the process, we are making
20 a real positive difference for working families.
21 Not many policies grow in popularity but our
22 eviction diversion program sure has.

23 Over the next three years -- over the
24 last three years, we have seen the support grow in
25 this body as well. Councilmember Isaiah Thomas

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2 signed on to make sure the program was extended,
3 and Council President Kenyatta Johnson helped grow
4 support and ensure that it was properly funded and
5 I thank them for their support. The program was
6 extended three times with the support growing from
7 our colleagues each time.

8 That's why today, as we come together to
9 vote to make this program permanent, I am proud
10 that the permanent extension of the eviction
11 diversion program is sponsored by 12 of my
12 colleagues. In addition to myself, Councilmember
13 Gauthier, and Thomas, we are joined in support by
14 Councilmembers O'Rourke, Landau, Ahmad, Jones,
15 Lozada, Harrity, Driscoll, Squilla, and Bass.

16 Now I have to tell you in my time in
17 council, this has not been an easy feat and I'm
18 grateful for all of their support. But a near
19 unanimous support for the program -- for the
20 program is receiving because Philadelphians are
21 directly benefiting.

22 One thing I've learned from the data we
23 have collected over the past few years is that the
24 program is most effective when it is paired with
25 rental assistance. And in fact, eviction filings

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2 for cases with rental assistance were five times
3 lower than those without. So as our housing
4 crisis intensifies, we must make sure that rental
5 assistance is available for renters and small
6 landlords who need it. And we built on program
7 success by including \$50 million for rental
8 assistance in our next budget. I want to thank
9 all my colleagues for prioritizing this piece of
10 legislation and I look forward to everyone
11 testifying today. Let's get this done. Thank
12 you.

13 COMMITTEE CHAIR GAUTHIER: Thank you,
14 Minority Leader. Councilmember Jones.

15 COUNCILMEMBER JONES: Thank you, Madam
16 Chair. I'm speaking today for some of the senior
17 members of council and I'm not talking about Cindy
18 Bass because she only has longevity but not age.
19 She's been around but she's not old enough to be
20 old yet. But what I will say, she was around when
21 we passed the mortgage foreclosure diversion
22 program and fought for that.

23 She understood, like I understood in my
24 district, that it was a ownership problem at the
25 time. But to my newer colleagues, they showed us

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2 it wasn't just ownership, that it was rental. And
3 during the pandemic, raised the alarm that said,
4 if we don't do something now, we will have a
5 tsunami of evictions. And we leaned into it and
6 figured it out, but they were so right. Had we
7 not put our thumb in the dike of the damn we would
8 have -- we would have been overrun. And it's
9 cheaper to keep people in their homes than to put
10 them in homeless shelters. So I want to thank my
11 colleagues for that. I want to say that this is a
12 continuation of those efforts back in the day.

13 Marian Tasco, Member Bass, was the first
14 person that kind of came up with the foreclosure
15 diversion program which in some ways helped be the
16 forecursor to this program. So I'm thankful to
17 all of you for continuing to keep the flame alive.
18 And I don't think in our current situation when we
19 start to hear about stats of how much affordable
20 housing costs that this is going away. So thank
21 you all for your continued diligence.

22 COMMITTEE CHAIR GAUTHIER: Thank you,
23 Councilmember, for your support through all of
24 this and for the experience that you bring on this
25 issue. And you're absolutely right. The mortgage

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2 diversion program was absolutely a model for what
3 we're doing now with eviction diversion. Minority
4 Whip O'Rourke, please.

5 COUNCILMEMBER O'ROURKE: Thank you,
6 madam chair. Not a whole lot to say today. I
7 just want to state for the record that so many
8 folks have been politicized by what's going on in
9 the world currently. I think I've had a few
10 moments where I have seen my politics shift and
11 change. And one of the key moments, actually, was
12 a few more years back, at the start of the
13 pandemic, where so much was revealed about the way
14 this world works, this country works, the way this
15 commonwealth, this city works. And it became
16 very, very clear, you know, why we say housing is
17 a human right. And to be able to, to see the
18 beginning of this work and for so many to who have
19 been advocating for it, it's an honor because I
20 wasn't a part of this -- a member of this body --
21 when this effort went underway.

22 But I was finding myself with a number
23 of -- 2 or 300 other young adults and folks of
24 various ages sleeping on the steps of the United
25 States Capitol as we continued to raise awareness

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2 about the injustice of having folks who are
3 houseless and among other things, just out in the
4 open, as we were trying to figure out how to
5 navigate a pandemic. And so I'm so honored to be
6 a part of today's committee hearing as we see
7 material wins come to fruition to make sure that
8 folks have shelter over their heads which I think
9 is always a righteous and sacred work. So thank
10 you, Madam Chair, and all of those for your work
11 on getting us here. I'm grateful to be with you
12 all today.

13 COMMITTEE CHAIR GAUTHIER: Thank you so
14 much Minority Whip. Ms. Jones, will you now read
15 the title of the bill?

16 THE CLERK: Bill number 240245, amending
17 chapter 9-800 of the Philadelphia Code entitled
18 Landlord and tenant to modify requirements and
19 authorizations related to the city's residential
20 eviction diversion program including associated
21 changes to the landlord and tenant relationship.
22 And to make certain technical changes all under
23 certain terms and conditions.

24 COMMITTEE CHAIR GAUTHIER: The clerk
25 will please call the first panel of witnesses to

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2 testify on the resolution. And we do, today, have
3 a hard stop at 4:30 p.m. so we're asking that
4 people be somewhat concise in their testimony.

5 THE CLERK: All right. Excuse me. Yes.

6 On the first panel we have Mark Dodds, interim
7 deputy director of the Division of Housing and
8 Community Development; Nancy Geist Giacomini,
9 mediation manager, Eviction Diversion Program,
10 CORA Good Shepherd; Abraham Pardo, vice president
11 of Housing and Diversion Services, Urban League.

12 COMMITTEE CHAIR GAUTHIER: Mr. Dodds,
13 please state your name for the record and proceed
14 with your testimony.

15 MR. DODDS: Good afternoon. Mark Dodds,
16 interim deputy director, Division of Housing and
17 Community Development.

18 COMMITTEE CHAIR GAUTHIER: Please
19 proceed with your testimony.

20 MR. DODDS: Good afternoon, Chair
21 Gauthier and members of the Committee on Housing,
22 Neighborhood Development, and the Homeless. I am
23 Mark Dodds, interim deputy director of the
24 Division of Housing and Community Development.
25 Thank you for the opportunity to testify on bill

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2 number 240245. We support passage of this bill.

3 The bill would maintain the city's
4 eviction diversion program in its current form but
5 would remove the current ordinances sunset
6 position, making the program permanent. The mayor
7 is dedicated to making the city government one
8 that Philadelphians can see, touch, and feel. She
9 also has ambitious housing goals which focus not
10 just on new construction but on housing
11 preservation as well.

12 The eviction diversion program is
13 critical to both of these efforts. It represents
14 a hands-on effort by the city to help landlords
15 and tenants in every council district avoid the
16 costs and disruptions of the eviction process,
17 while at the same time adding homes for almost
18 8000 households each -- saving homes for almost
19 8000 households each year and stabilizing income
20 streams for landlords of all sizes.

21 As you know, several of you were
22 involved in the initial effort. The eviction
23 diversion program began in earnest in 2020. Since
24 that time the program has proceeded through
25 several legislative and programmatic iterations in

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2 response to available resources, stakeholder
3 feedback, and lessons learned through assisting
4 tens of thousands of landlords and tenants.

5 The program has operated in its current
6 form since January 2023. In the current program,
7 all landlords are required to participate for 30
8 days before filing an eviction. During that 30-
9 day period, landlords and tenants are provided
10 with some combination of financial assistance
11 called targeted financial assistance, mediation,
12 housing counseling services, and negotiation
13 resources. The data we have available points to a
14 highly successful program.

15 Overall, EDP is helping to cut eviction
16 filings by almost 40 percent per year. This
17 significant decrease is especially notable in
18 light of unfortunate reality in most cities where
19 eviction rates are up, not down, and certainly not
20 down by such a large amount. Additionally, data
21 indicates that each component of the program
22 contributes to its success. Where mediation is
23 involved, approximately 70 percent of landlords
24 and tenants who participate reach an agreement.
25 Targeted financial assistance is available to many

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2 landlords and tenants participating in mediation
3 but it is also highly effective on its own.

4 About 40 percent of successful outcomes
5 are reached based on TFA alone. Importantly, it
6 is not only landlords and tenants who resolve
7 their cases through EDP that benefit. Fewer
8 eviction filings mean that municipal court judges
9 are able to spend their time focused on cases that
10 really need a judge's attention rather than on
11 ones that could be resolved pre filing with a
12 simple payment plan or a small amount of rental
13 assistance.

14 EDP has garnered Philadelphia national
15 attention. The New York Times described the
16 program as a notable success for both landlords
17 and tenants and EDP has been lauded by the White
18 House as a national model. We at the Department
19 of Planning and Development are proud to house and
20 operate EDP but EDP would not be successful
21 without the tireless work of our partner
22 organizations. On the targeted financial
23 assistance side, PHDC provides skillful
24 implementation, ensuring that the majority of
25 payments are made within 30 days. For parties

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2 involved in mediation or needing other support,
3 Philadelphia Legal Assistance, Community Legal
4 Services, CORA Good Shepherd Mediation Services,
5 including their team of volunteer mediators, and
6 dozens of city funded housing counselors and NACS
7 provide responsive and compassionate assistance.

8 We are also grateful for our strong
9 partnerships with the first judicial district and
10 landlord associations. Their support and
11 coordination have been critical to the program's
12 success. Throughout EDP's evolution, we have
13 worked to continually improve and adjust the
14 program so that it works as optimally as possible
15 for all parties and stakeholders. We are
16 committed to continuing that effort if the program
17 becomes permanent.

18 EDP doesn't require -- EDP does require
19 significant resources and as legislation states,
20 it is not council's expectation that the diversion
21 program will continue if there is insufficient
22 funding available to operate the program. We
23 currently have funding on hand to operate EDP at
24 current levels for FY25. Continued funding
25 particularly after FY25 will need to be part of

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2 the annual budget negotiations.

3 Evictions not only destabilize families,
4 they destabilize communities as well. Stable
5 lives in neighborhoods create the resilient social
6 fabric that empowers people to come together to
7 make their communities safer, cleaner, and
8 greener, and provide a solid footing for every
9 individual to pursue economic opportunity. That
10 concludes my testimony and I am available to
11 answer any questions you may have.

12 COMMITTEE CHAIR GAUTHIER: Thank you so
13 much. And I just want to commend DHCD for how
14 quickly they stood this program -- how you stood
15 this program up in the midst of a crisis and also
16 around the great success that, you know, we had in
17 getting the TFA funds out of the door. It truly
18 has been remarkable. And we do get your point
19 about making sure that this is in the budget every
20 year.

21 Ms. Giacomini, I hope I'm not butchering
22 that too much. Please state your name for the
23 record and proceed with your testimony.

24 MS. WASSERKRUG: I am not Nancy
25 Giacomini, who is out sick. Oh, yes, she was out

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2 sick this morning. But my name is Sue Wasserkrug.

3 COMMITTEE CHAIR GAUTHIER: Thank you.

4 MS. WASSERKRUG: And I'm the director of
5 mediation at CORA Services. No, it's fine.

6 COMMITTEE CHAIR GAUTHIER: Please
7 proceed.

8 MS. WASSERKRUG: Thank you. Well good
9 afternoon and thank you for this opportunity to
10 speak in support of bill 240245. As I mentioned,
11 I'm Sue Wasserkrug, the director of mediation at
12 CORA Services, and I'm here to share with you
13 Nancy's testimony since she's out sick.

14 She is our mediation manager and
15 landlord liaison for our eviction diversion work.
16 She actually started with the program as a
17 volunteer mediator on day one. So she's got --
18 and I hired her very shortly thereafter when I
19 realized I could not do it all myself.

20 CORA Services is a nonprofit resource
21 center that has served the Philadelphia community
22 for over 50 years. The aim of our eviction
23 diversion work is to support both tenants and
24 landlords as they work together to create mutually
25 beneficial solutions and to strengthen their

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2 rental relationships. EDP has proven to be
3 effective, as you've heard, and sustainable for
4 landlords and tenants to resolve residential
5 rental disputes without the need for court
6 intervention. And the great results, some of
7 which you've heard, nearly half of all renters who
8 entered the program did not have an eviction filed
9 against them. Nearly 70 percent of all cases with
10 a completed mediation reached an agreement. And
11 Philadelphia is one of just a handful of
12 jurisdictions in the country where eviction
13 filings have not returned to pre-pandemic levels,
14 and this is in large part due to EDP.

15 Eviction diversion begins when a
16 landlord completes an online application. Because
17 of the novelty and complexity of the program we
18 offer an easily accessible landlord liaison
19 support throughout the process. We at CORA
20 Services review 500 to 600 EDP applications weekly
21 while managing nearly as many related calls,
22 texts, and emails from landlords and their agents.
23 We schedule and process anywhere from 50 to 80
24 mediations per week. Nearly all of those are
25 handled by trained volunteer mediators. We

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2 trained a new batch just this morning.

3 And what we hear in our role as the
4 landlord liaison is not just buy in from landlords
5 but actual gratitude. Even the most reluctant
6 landlord, property manager, agent, or attorney
7 will agree that at a minimum -- at a bare minimum
8 this program helps the court manage caseloads and
9 reduce dockets.

10 I'd like to share with you some feedback
11 that we receive from -- mostly from landlords and
12 property managers. This is from a property
13 manager who told us, the mediations have turned
14 out to be a wonderful experience and issues are
15 resolved where tenants would otherwise have been
16 evicted.

17 And a small landlord said to us, my
18 husband and I were wondering if the eviction
19 diversion program is still running. We have
20 another tenant that could use the help. We have
21 had great success with this program. Thank you.

22 And from a landlord who received the
23 targeted financial assistance, I just wanted to
24 say thank you again and let you know that I really
25 appreciated all the support. The water department

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2 was about to put me in collections for the
3 tenant's outstanding balance. Because of you,
4 that didn't happen.

5 And finally, from one of our volunteer
6 mediators, this mediation was wonderful. The
7 housing counselor worked their magic and the
8 property manager was able to get approvals and
9 consent for an agreement.

10 So in closing, EDP equips landlords and
11 tenants to resolve their disputes together. In
12 mediation we call this a win-win. An eviction
13 diversion, as Chair Gauthier has stated, we call
14 this a win-win-win. Tenants win by avoiding the
15 trauma of eviction proceedings, landlords win with
16 timely negotiated agreements and financial
17 assistance, and communities win by supporting a
18 party driven conflict resolution process that
19 makes a real difference in our efforts to combat
20 housing insecurity, homelessness, and social
21 inequality. Thank you so much for your support.

22 COMMITTEE CHAIR GAUTHIER: Thank you for
23 your testimony and for your work. CORA has been
24 such an instrumental part of this program.
25 Abraham Pardo, please state your name for the

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2 record and proceed with your testimony.

3 MR. PARDO: Yes. Good afternoon,
4 everyone. My name is Abraham Reyes Pardo. I
5 serve as a VP of Housing for the Office of
6 Diversion -- Housing and Diversion Services at the
7 Urban League of Philadelphia. The Urban League of
8 Philadelphia is a multi-generational civil rights
9 and social justice organization which was founded
10 in 1917.

11 I'm here to provide testimony in support
12 of bill 230245 for the extension of the nationally
13 recognized eviction diversion program. I've had
14 the privilege of being part of this project since
15 it was first incepted in 2020. Leading my team of
16 housing counselors through its different
17 iterations.

18 Last year, the Urban League of
19 Philadelphia proudly served 20 percent of the
20 landlords and tenants who participated in the
21 eviction diversion program. A reaffirmation of
22 our commitment to this initiative. The program's
23 primary goal is settling disagreements between
24 landlords and tenants outside of court without an
25 eviction filing. And thanks to the consistent

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2 efforts of city council, the program also provides
3 direct financial support for struggling landlords
4 and tenants.

5 According to the eviction lab at
6 Princeton University, Philadelphia's Eviction
7 Diversion Program is the main reason the city has
8 consistently seen fewer than 20,000 filings --
9 than the 20,000 filings it typically had in the
10 years leading up to the pandemic. At a time when
11 eviction filings are reaching or exceeding pre-
12 pandemic averages in other cities.

13 The program has also allowed us to keep
14 close track of the market conditions, something
15 that is particularly relevant at a time when the
16 use of technology is drastically influencing the
17 availability and pricing of rental units in our
18 city and beyond. I'm referring specifically to
19 the more than 20 lawsuits against some of the
20 country's biggest property management companies
21 who are being accused of colluding to raise rental
22 prices and not by cutting deals with each other
23 but by using a particular piece of software.
24 Despite the efforts of the federal government to
25 regulate the marketplace through antitrust laws,

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2 software like RealPage has made algorithmic price
3 selling accessible.

4 Our communities need our support to
5 continue advancing the fair housing agenda. Time
6 and resources can be managed and invested in the
7 more specialized cases moving through the court
8 system as minor cases involving missed payments
9 are a better fit for the eviction diversion
10 program. Perhaps the best way to sum up the
11 benefits of this program is by sharing a message
12 from one of our participants.

13 Hello Ms. Walker. I just wanted to say
14 thank you for all your help with the rental
15 assistance. My landlord just received the payment
16 and now I get a month to catch up with my water
17 bill and other payments. I am no longer behind on
18 my rent. I just want to say that I'm thankful and
19 grateful for being able to stay in my home.
20 Please continue to help the struggling people in
21 our community.

22 Thank you.

23 COMMITTEE CHAIR GAUTHIER: Thank you so
24 much for your work and for your testimony, we
25 truly appreciate you. Are there questions or

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2 comments from members of the committee for this
3 panel? Minority Leader Brooks or Minority Whip?
4 Okay. Thank you so much for your testimony.

5 COUNCILMEMBER BROOKS: I just want to
6 say something real quick. One second.

7 COMMITTEE CHAIR GAUTHIER: Yes.

8 COUNCILMEMBER BROOKS: I'm so sorry. I
9 just wanted to say as somebody who was on the
10 administrative side of so many of these issues,
11 thank you, thank you, thank you for all that you
12 do. I know it was such a heavy lift to get it
13 started and to keep it going but we thank you so
14 very much.

15 COMMITTEE CHAIR GAUTHIER: The clerk
16 will please call the next panel of witnesses to
17 testify on the resolution.

18 THE CLERK: Mercedes Peterson, Sanae
19 Williams, Ebony Tillman, and Tiana Woods.

20 COMMITTEE CHAIR GAUTHIER: Please state
21 your name for the record and proceed with your
22 testimony. Good afternoon.

23 MS. PETERSON: Good afternoon. Good
24 afternoon. Good afternoon, members of city
25 council. My name is Mercedes Peterson and I'm

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2 here to ask you to support the continuation of the
3 eviction diversion program.

4 After the loss of my job last summer I
5 was able to pay my rent through my unemployment.
6 After several months of applying for jobs, I was
7 hired in November of 2023 for one, started in
8 January 2024. I attended the first day of my job
9 but fell seriously ill and was hospitalized the
10 next day. I was in and out of the hospital for 26
11 days and lost my new job. My rent fell behind and
12 my landlord sent me an eviction notice.

13 After finally being released from the
14 hospital, I had to worry about paying my rent.
15 Thinking I would be put in the streets didn't help
16 my blood pressure. But after speaking with my
17 housing counselor in the diversion program I felt
18 hopeful. He listened to my back story, informed
19 me of the steps that followed, and helped me come
20 up with an action plan. This helped alleviate my
21 stress so that I could focus on my health and
22 recovery and start working again.

23 With the help of my counselor, we were
24 able to negotiate a payment agreement that worked
25 for both me and my landlord and all parties were

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2 satisfied with the outcome. I'm glad to say that
3 just a few days ago I made my final payment and
4 I'm now current on my rent. A place to live is
5 something we all aspire to have. A roof over our
6 head is security.

7 When unfortunate events such as health
8 issues or loss of a job happen, bills still have
9 to be paid. But through mediation, tenants like
10 me have a chance to save our homes instead of
11 getting steam rolled through the eviction process.

12 Please support struggling tenants by
13 continuing the eviction diversion program.
14 Sometimes people are down on their luck but a
15 helping hand goes a long way. Thank you so much.

16 COMMITTEE CHAIR GAUTHIER: Thank you for
17 your testimony and for sharing your story and I'm
18 sorry that you had to go through so much, but
19 also, I'm glad and congratulate you on finishing
20 your payment.

21 Will you state your name for the record
22 and proceed with your testimony?

23 MS. WOODS: Hello? Okay, cool. My name
24 is Woods and I am here to speak on keeping the
25 eviction diversion program. So good afternoon.

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2 My name is Tiana Woods. I'm a renter in the Olgon
3 section of Philadelphia. I'm also a member of
4 Renters United of Philadelphia. I'm here to
5 support this eviction diversion program and to
6 argue for it to have more funding.

7 I want this program to stay because it
8 would be beneficial to others in my predicament.

9 I am a mother of three and I work about 84 hours a
10 week taking care of my 86-year-old grandfather who
11 also stays with me, he's also a veteran.

12 The place that I was staying at had
13 plenty of issues and I was unprivvy to the actual
14 process of withholding rent. So I ended up
15 getting and -- I ended up getting a letter about
16 my eviction hearing. However, I attempted to go
17 through the eviction diversion program but I never
18 got through. So I ended up having a judgment by -
19 - a judgment by agreement placed on me and I have
20 -- that's all I dealt with now.

21 However, from hearing the stories of, of
22 others if I were to have been able to been a part
23 of this program, I knew that it would have
24 alleviated some of the issues. So yeah, I'll
25 continue from my paper. My landlord tried to

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2 evict me and unfortunately I wasn't able to use
3 this program because he did not do his due, due
4 diligence. But like I said earlier, the program
5 would have helped me to pay back the rent and to
6 prevent the eviction from being filed.

7 If I had been able to use this program
8 then we would -- then we could have avoided going,
9 going through the court system altogether and
10 having this permanent scar on my record which now
11 could prevent me from having stable housing for my
12 kids and in the future.

13 I did try to look for housing elsewhere
14 but due to having the JBA, I was denied several
15 times, so there's that. I'm sorry. As someone
16 stated earlier, a majority of the people who have
17 evictions are single mothers. I am one myself, as
18 I stated earlier, and due to that, we should not
19 have to worry about being displaced or becoming
20 homeless just because they lose a job or fall
21 behind on a month's rent.

22 For me, I pick up odd jobs overnights,
23 like, I work 12 hours in the morning and then I
24 work 8 hours overnight, as well, because I have to
25 make ends meet for my family and I. If we had

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2 been evicted then we would have had nowhere to go
3 and it would have risked the health and wellbeing
4 of our -- of our whole family, particularly the
5 children and my grandfather.

6 So yeah, this is why we need to continue
7 programs like the eviction diversion program and
8 make them even stronger so that all tenants can
9 get assistance -- so that all tenants can get the
10 assistance that they need for their families to
11 keep their human right to housing. I think this
12 program does need more funding to provide
13 financial assistance to tenants and to make sure
14 that there are staff to provide housing
15 counseling. So thank you.

16 COMMITTEE CHAIR GAUTHIER: Thank you for
17 sharing your story and I'm sorry to hear that you
18 had to deal with so much with the judgment and
19 with finding housing. Can you just expound before
20 we move on, why weren't you able to make it into
21 the program? Do you know why?

22 MS. WOODS: When I received the letter,
23 I did call and for one day I sat on the phone for
24 2 hours straight and every time my phone reached
25 30 minutes and 0 seconds, the phone would hang up.

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2 COMMITTEE CHAIR GAUTHIER: Okay. So I'm
3 sorry for that but certainly just describes the
4 intense demand for the program. And so we'll have
5 to, you know, make sure that we make some
6 adjustments moving forward.

7 Next, can you please state your name for
8 the record and proceed with your testimony?

9 MS. TILLMAN: Hello guys. My name is
10 Ebony Tillman. I am a member of Renters United
11 Philadelphia and I am a mother and a hairstylist
12 and a new business owner of Ynobe Hair Beauty
13 Studios. My first name spelled backwards Hair
14 Beauty Studio. Thank you.

15 And I'm working on building my income
16 for me and my daughter. I went through the
17 eviction diversion program at the end of last year
18 when I fell behind on rent because I did not have
19 enough clients at the hair salon. I'd been
20 searching for rental assistance options already.

21 Through the eviction diversion program,
22 I met with a mediator and my landlord and a lawyer
23 and together we made an agreement for a payment
24 plan and I was able to get targeted financial
25 assistance to pay a couple months of my back rent.

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2 To have support from the eviction
3 diversion program and to be able to get assistance
4 is a weight lifted. It is a relief because I have
5 an 11-year-old daughter, I am a single mother, and
6 it is horrible feeling -- it is a horrible feeling
7 to think that this place where we have shelter and
8 water and our belongings is at risk of being taken
9 away.

10 Knowing that you have a child looking up
11 to you and depending on you to make things happen,
12 you feel hopeless when you think you might lose
13 your home. When you're having a hardship and the
14 place where you live is being threatened to be
15 taken away and you don't have support to hire
16 anybody or get assistance, that sinks you down.

17 Having that extra support from the
18 eviction diversion program is appreciated through
19 hard times. It is very important to continue the
20 eviction diversion program so that mothers and
21 families like me can stay in our homes and not
22 have to worry about being displaced. I ask that
23 city council and Mayor Parker continue this
24 essential program with at least 50 million in
25 funding so that others can get help with back rent

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2 like I did to prevent eviction. Thank you guys
3 for your time.

4 COMMITTEE CHAIR GAUTHIER: Thank you so
5 much for sharing your story and for advocating for
6 this program and assistance to continue.

7 Are there questions or comments from
8 members of the committee for this panel? Minority
9 Leader? Councilmember?

10 COUNCILMEMBER JONES: Thank you for your
11 perseverance. Like we were just sitting and that
12 30 minute and a second disconnect, I don't know
13 how many times I would have been able to have that
14 kind of patience and perseverance in a system
15 that, you know, I'm thinking everything's stacked
16 against me. So even though you didn't get in,
17 thank you for continuing on and it just is a
18 profile in courage. So thank you.

19 MS. WOODS: Thank you.

20 COMMITTEE CHAIR GAUTHIER: The clerk
21 will please call the next panel.

22 THE CLERK: Nathan Tulchinsky, managing
23 partner, Overbrook Management Group and Overbrook
24 Capital; Abe Silber, founder and owner of Two
25 River Development.

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2 COMMITTEE CHAIR GAUTHIER: Good

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

5 MR. SILBER: Good afternoon -- good
6 afternoon. My name is Abraham Silber and I'm the
7 founder and owner of Two River Development. Thank
8 you to Chair Gauthier, Vice Chair Landau, Minority
9 Leader Brooks, and members of the committee on
10 Housing, Neighborhood Development, and the
11 Homeless for hosting this hearing and for giving
12 me an opportunity to share my thoughts on the
13 eviction diversion program and the targeted
14 financial assistance pathway.

15 Two River Development is a vertically
16 integrated affordable housing developer, proud to
17 have roughly 200 of Philadelphia's most vulnerable
18 citizens as its tenants. Our clients are a
19 diverse mix in every respect. We work with almost
20 all of the city voucher programs, including PHA,
21 HUD Vash, and various office of Homeless Services
22 and Department of Behavioral Health programs, to
23 name a few.

24 In addition, we have extensive
25 relationships with various nonprofits, some of

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2 whom administer their own voucher programs. A
3 significant portion of our tenant base are also
4 private payers with no government assistance but
5 who also require the most affordable of housing.

6 We have tenants as young as 19 and those
7 well into their 70s. We take seriously our work
8 as a partner to the department -- as a partner to
9 the Department of Corrections in providing reentry
10 housing to returning citizens. As such, I feel
11 credentialed to stand before you and opine on the
12 efficacy of this program for both landlords and
13 tenants and thus our city in its current form.

14 In addition, I must stress the
15 importance of securing funding for TFA, alongside
16 any bill that makes EDP permanent. It is no
17 secret that EDP and TFA are not popular in the
18 landlord community but I do not share this
19 sentiment.

20 I have not always felt this way. Prior
21 to the addition of the TFA pathway, I thought the
22 eviction diversion program had become the greatest
23 existential threat to privately held affordable
24 housing that the city of Philadelphia had ever
25 seen. This city cannot solve its housing crisis

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2 without the cooperation of the private sector and
3 the legislation made the cost of providing this
4 housing too high to be economical. However, after
5 the introduction of TFA, my opinion of the program
6 changed drastically.

7 Why? Simply put, the program works.
8 Out of the over 75 TFA applications that have been
9 funded on behalf of tenants to my organization,
10 not one, and I repeat, not one of those tenants
11 has been subsequently evicted. Does this mean
12 that all were able to get completely back on track
13 and remain as tenants? Unfortunately, no. In
14 certain circumstances, tenants did fall behind
15 again, but because of the clarity of the program
16 they understood that should they choose to stay
17 there likely would be an eviction on their record
18 and they voluntarily vacated. A key intent in the
19 crafting of the EDP program was to avoid evictions
20 on tenant's records and that part is working.

21 Voluntary terminations are the minority,
22 however. Most of these 75 tenants do remain.
23 Much more frequently, TFA has proven to be the
24 lifeline that those of us in the affordable
25 housing business know tenants need to get back on

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2 track. A sick child, an unexpected layoff, or
3 even a flat tire can financially derail a tenant
4 and be the first in a series of steps towards
5 eviction in a pre TFA world.

6 Most evictions begin with a relatively
7 small outstanding balance and the design of TFA is
8 fantastic at nipping that problem in the bud and
9 giving people a second chance. Most people are by
10 their nature good and the vast majority of them
11 take that second chance and run with it.

12 In summary, it is of the utmost
13 importance that this committee, and hopefully all
14 of city council, understand how critical targeted
15 financial assistance and the funding that it
16 requires are for the maintenance of affordable
17 housing in Philadelphia. Thank you again for the
18 opportunity to speak on this important matter.

19 COMMITTEE CHAIR GAUTHIER: Thank you for
20 your testimony and for changing your mind from
21 thinking this is an existential threat to becoming
22 a supporter. We appreciate you.

23 Please state your name for the record
24 and proceed with your testimony.

25 MR. TULCHINSKY: Hi, my name is Nathan

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2 Tulchinsky. Hello, my name is Nathan Tulcinsky
3 and I'm the managing partner at Overbrook
4 Management Group and Overbrook Capital. Thank
5 you, Chair Gauthier, Vice Chair Landau, Minority
6 Leader Brooks, and members of the committee on
7 Housing, Neighborhood Development, and the
8 Homeless for hosting this hearing.

9 My organization owns and manages
10 approximately 200 homes in the Philadelphia
11 market, primarily focusing in North Philadelphia,
12 West Philadelphia neighborhoods, including, but
13 not limited to, Allegheny West, Strawberry
14 Mansion, Nicetown, Carroll Park and Cobbs Creek.

15 We feel our greatest impact is the
16 ability to offer our residents affordable housing
17 that is mechanically and aesthetically above the
18 quality that is usually seen in the various
19 neighborhoods that we operate in. We are able to
20 do this largely because of the different subsidies
21 that are offered to our tenants via organizations
22 like the Philadelphia Housing Authority.

23 Today I'd like to champion the efforts
24 of everyone involved in the eviction diversion
25 program and TFA for the positive impact it has

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2 made on the housing crisis in Philadelphia.
3 Although, I'll be clear to note, programs like EDP
4 would make it very difficult to invest in
5 affordable housing space without some form of
6 subsidy like TFA to accompany it. Guiding tenants
7 out of delinquency while simultaneously providing
8 landlords the lifeline of continued payments to
9 maintain debt, property maintenance, and safety of
10 these homes is an absolute necessity.
11 TFA is providing tenants with a second
12 chance, while also preventing future delinquency.
13 Creating trust with tenants and landlords in the
14 neighborhoods that we operate in has historically
15 been a very difficult task. Private landlords
16 generally resort to the most expedited forms of
17 evictions to rid themselves of nonpaying tenants,
18 then subsequently result in destructive landlord
19 tenant relationships that are virtually impossible
20 to recover. That tenant, eventually, if the
21 eviction is successful becomes homeless or
22 displaced into the vicious cycle of homelessness,
23 it continues. If that isn't debilitating enough,
24 the ability to rent in the future with an eviction
25 on record ultimately places individuals in

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2 homeless purgatory.

3 It is our belief that the data will show
4 giving tenants and landlords the ability to
5 participate in the eviction diversion program
6 accompanied by TFA, there will be an overwhelming
7 decrease in homelessness, followed by a continuous
8 trust and cooperation between landlords and
9 tenants that will ultimately result in more
10 affordable housing for the citizens of
11 Philadelphia. Thank you.

12 COMMITTEE CHAIR GAUTHIER: Thank you for
13 your testimony and for also being a model for
14 landlords. And we hear you both loudly and
15 clearly about TFA and we're hoping the powers that
16 be hear as well.

17 Any questions or comments from the
18 committee? Minority Leader.

19 Thank you so much for your testimony.

20 MR. TULCHINSKY: Thanks.

21 COMMITTEE CHAIR GAUTHIER: The clerk
22 will please call the next panel.

23 THE CLERK: Katherine Hicks, president
24 NAACP, Philadelphia Branch; Lonnese Bodison,
25 senior director of programs, Maternity Care

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2 Coalition; Sherry Thomas, director, LCD Housing
3 Initiative Legal Clinic for the Disabled; Adam
4 Weintraub-Barth, senior attorney, Tenants Right,
5 Senior Law Center.

6 COMMITTEE CHAIR GAUTHIER: Good
7 afternoon, Ms. Hicks.

8 MS. HICKS: Good afternoon.

9 COMMITTEE CHAIR GAUTHIER: Please state
10 your name for the record and proceed with your
11 testimony.

12 MS. HICKS: Okay. Katherine Hicks, I'm
13 the Philadelphia branch president of the NAACP.
14 Good afternoon. As president of the Philadelphia
15 branch NAACP, I stand in support of bill number
16 240245, removing the sunset date from the eviction
17 diversion program.

18 I want to thank Councilmembers Brooks,
19 O'Rourke, Gauthier, and Landau, who co introduced
20 the bill along with Councilmembers Thomas, Ahmad,
21 Jones, Lozada, Harrity, Driscoll, Squilla, and
22 Bass, who co-sponsored this important and very
23 necessary bill. I want to thank all who have
24 taken the time to be a part of this very important
25 bill for the eviction diversion program.

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2 The National Association for the
3 Advancement of Colored People is committed to
4 addressing housing inequities and discrimination
5 and to advocate for equal opportunity and access
6 to affordable housing. The NAACP has been around
7 since 1909 advocating for civil rights.

8 The eviction diversion program has
9 proven to be an invaluable resource in assisting
10 both landlords and tenants during challenging
11 times. By providing counseling, resources, and
12 support, the program has effectively helped to
13 prevent evictions and maintain stable housing for
14 renters. Making this program permanent would
15 ensure that landlords and tenants continue to
16 receive the necessary assistance they need to
17 navigate difficult situations and avoid eviction.

18 This is not only -- this not only
19 benefits tenants by providing them with necessary
20 support to stay in their homes but it also
21 benefits landlords by offering resources to
22 mitigate potential financial loss. Documented
23 studies have determined that black women with
24 children make up 70 percent of the evictions in
25 Philadelphia. Black Philadelphians are more

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2 likely to be renters. The homeownership rate
3 among black families is 48.2 percent compared to
4 white families in the Philadelphia metro at 75.3
5 percent. Black and brown renters are more likely
6 to face eviction in recently gentrifying areas of
7 Philadelphia, including those areas that are
8 historic communities of color. As a group, black
9 Philadelphians experienced almost three times as
10 many evictions as white Philadelphians.

11 Here are some key points why this
12 program should become a permanent tool for
13 landlords and tenants in Philadelphia. One, it
14 promotes stability. The eviction diversion
15 program provides stability for both renters and
16 landlords by offering solutions, resources, and
17 counseling to resolve disputes. This helps
18 prevent evictions and ensures that individuals and
19 families can remain in their homes.

20 Two, it prevents homelessness. By
21 offering support and resources to renters facing
22 eviction, the program helps prevent homelessness.
23 It provides an opportunity for individuals and
24 families to address their financial difficulties,
25 find alternative housing options, or access the

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2 necessary counseling and support services, if
3 there is not an equitable resolution.

4 Three, it maintains housing market
5 stability. The program benefits landlords as well
6 by providing them with a structured process to
7 address issues with tenants who are struggling to
8 pay rent. By offering the resources and
9 counseling, the program helps landlords find
10 mutually beneficial solutions that can preserve
11 the tenant landlord relationship and maintain
12 stability in the housing market.

13 Four, cost effective approach. The
14 eviction diversion program can be a cost-effective
15 alternative to the traditional eviction process.
16 Rather than going through lengthy court
17 proceedings, the program offers a streamlined
18 process that focuses on resolution and prevention.
19 This can save both tenants and landlords from
20 incurring legal fees and other associated costs.

21 Five, encourages communication and
22 collaboration. The program promotes open
23 communication and collaboration between renters
24 and landlords. By offering mediation services, it
25 encourages both parties to work together to find

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2 solutions that are mutually beneficial. This can
3 help build stronger relationships and prevent
4 future disputes.

5 Addresses root causes. The program goes
6 beyond addressing the immediate issue of eviction
7 and focuses on resolving the root causes of
8 financial difficulties faced by renters. Helping
9 renters access the support they need to overcome
10 financial challenges and improve their long-term
11 housing stability.

12 Overall, making the eviction diversion
13 program a permanent program would be a proactive
14 and compassionate approach to addressing eviction
15 related challenges and fostering stability for
16 both landlords and tenants. The Philadelphia
17 branch NAACP will continue to be an advocate for
18 this bill and for this program. Thank you.

19 COMMITTEE CHAIR GAUTHIER: Thank you for
20 your testimony and for rightly characterizing this
21 as a racial justice issue and for expounding on
22 the many, many benefits of the program.

23 Please state your name for the record
24 and proceed with your testimony.

25 MS. BODISON: Good afternoon. My name

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2 is Lonnese Bodison, senior director of programs at
3 Maternity Care Coalition. Thank you for inviting
4 us here today to offer testimony on this
5 innovative and effective program that has
6 benefited so many members of our community.

7 Maternity Care Coalition works with
8 hundreds of families a year across Philadelphia,
9 providing home visiting, childcare, doula and
10 lactation services, community and parenting
11 education, and behavioral health support.

12 Maternity Care Coalition believes in an
13 equitable and just future for all families and is
14 committed to challenging the structures that
15 create barriers to equity. Year after year across
16 the communities we serve, our home visitors,
17 doulas, and teachers share that parents
18 continuously report housing insecurities as a top
19 stressor.

20 Before families could fully recover from
21 the economic strain created by the COVID pandemic,
22 inflation swept in at rising rates resulting in a
23 higher cost of living for families barely earning
24 a livable wage. As a result, our community faces
25 rising rental costs and stagnant wage rates.

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2 Through family goal planning we hear
3 details of the futures our parents want for
4 themselves and their children. Our parents are
5 striving to meet their goals through employment
6 and by accessing resources designed to eliminate
7 factors adversely impacting their social
8 determinants of health which is why they engage in
9 our services.

10 Even with these best efforts, families
11 are still struggling. Each time Maternity Care
12 Coalition has spoken about this issue before this
13 committee, we stress a critical fact. Housing
14 instability has adverse impacts on maternal and
15 child health outcomes. Housing security is
16 critical for healthy birth outcomes, beginning at
17 pregnancy through early childhood.

18 Pregnancy and the first few years of a
19 baby's life are some of the most crucial for
20 lifelong development. Hardship during early
21 childhood can significantly affect brain
22 development. Research shows homelessness can lead
23 to physical health problems for infants, including
24 low birth weights.

25 Parents and babies experiencing housing

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2 insecurity have high rates of trauma and are at
3 greater risk of parent child separations. Studies
4 show that homeless and housing unstable children
5 are more vulnerable to mental health problems,
6 developmental delays, and depression than children
7 who are stably housed. Frequent moves, living in
8 doubled up housing, eviction, and foreclosure are
9 also related to elevated stress levels,
10 depression, and hopelessness, all of which impact
11 the parent and the child. Children's health,
12 particularly infant health, is inextricably linked
13 to perinatal health. The importance of housing
14 stability for Philadelphia's families, one of the
15 key benefits of this bill, begins at pregnancy.

16 Codifying into law Philadelphia's
17 eviction diversion program is an important step
18 towards ensuring families' basic needs are met.
19 Unfortunately, far too many infants and toddlers
20 in Philadelphia experience homelessness and
21 housing insecurity. Philadelphia's eviction
22 diversion program aligns with recommendations made
23 by the city's Maternal Mortality Review, which
24 emphasizes the need for stable and secure housing
25 during pregnancy and perinatal periods.

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2 We must listen to the needs of our
3 communities and leverage known solutions, such as
4 this, to create a healthier, safer city for
5 pregnant and parenting families in Philadelphia.
6 Philadelphia families need stable housing to birth
7 with dignity, parent with autonomy, and raise
8 babies who are healthy, growing, and thriving.
9 Maternity Care Coalition strongly supports an
10 ordinance to make the Philadelphia eviction
11 diversion program, a national model, permanent.
12 Thank you for having us.

13 COMMITTEE CHAIR GAUTHIER: Thank you so
14 much for your testimony and your very important
15 work.

16 Please, please state your name for the
17 record and proceed with your testimony.

18 MS. THOMAS: Sherry Thomas. Is this on
19 now? Sherry Thomas. Good afternoon and thank you
20 for this opportunity to address the committee in
21 support of bill number 240245. Having heard
22 council members remarks prior to this hearing
23 beginning, I do believe I might be preaching to
24 the choir but nonetheless I will go on.

25 My name is Sherry Thomas and I am the

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2 director of the housing initiative at the Legal
3 Clinic for the Disabled. LCD is a direct legal
4 services agency which provides free legal
5 representation for low-income Philadelphians and
6 in the surrounding counties, for those living with
7 physical and mental health disabilities. We are
8 also a partner in the Philadelphia eviction
9 prevention project, providing legal representation
10 to individuals and families facing eviction. LCD
11 has supported the eviction diversion program since
12 its inception, recognizing that any process which
13 can avoid an eviction filing is a worthy endeavor.

14 Our clients survive with physical and
15 mental health disabilities. Many of them are on
16 fixed or limited incomes, so avoiding an eviction
17 filing is incredibly important because it keeps a
18 record clean. A lot of them live in homes that
19 are specially fitted to them and accessible to
20 them. So, one, it's important to keep them in the
21 home. But if that is not possible, it is
22 important to keep the record clean so that this
23 subset of our population is able to access more
24 options.

25 In 2020, when we experienced an

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2 unforeseeable pandemic, people found themselves in
3 impossible situations. Prior to the pandemic,
4 low-income Philadelphians had felt the crush of
5 rising rents, lack of affordable housing, long
6 wait lists for subsidized housing. But during
7 that pandemic, that crush had extended to other
8 parts of our population that are not considered
9 low income. That may have just been on the cusp
10 of financial hardship. At that time, the city
11 council recognized the injustice which would occur
12 if eviction filings were to continue at a rapid
13 pace against people who found themselves unable to
14 pay rent due to circumstances beyond their
15 control.

16 Fast forward to today, in 2024. We are
17 officially out of the pandemic, but the issues I
18 mentioned earlier still persist. So that program
19 which made sense in 2020 still makes sense today.
20 And Legal Clinic for the Disabled is in support of
21 permanence of that program.

22 First, the program coming with financial
23 assistance is incredibly important. None of us
24 are immune to life circumstances. We all saw that
25 in 2020, none of us could have foreseen it. Loss

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2 of a job, onset of an illness, unforeseen medical
3 expenses. These are all reasons that our clients
4 have come to us saying this is why they have
5 fallen behind on rent. What the program provides
6 with this targeted financial assistance is
7 breathing room and an opportunity for people to
8 make things right, as well as take care of those
9 other curveballs that life throws their way.

10 Second, the program provides a way for
11 parties to reach a resolution without the eviction
12 filing. We know that filings are currently
13 permanent, they are forever searchable, and they
14 cause undeniable harm. It does not matter if you
15 won your case. It does not matter if your case
16 was withdrawn against you. There's still a record
17 showing that at some point in the past, your
18 landlord has taken you to court and that record
19 follows you everywhere.

20 The program provides a way to avoid this
21 filing and connects people with resources that are
22 otherwise not available to them. As I mentioned,
23 for people with disabilities, both physical and
24 mental health conditions, they're already
25 limitations on income and there are already

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2 limitations on what type of housing is accessible
3 to them. With an eviction filing, those options
4 shrink undeniably.

5 Lastly, the program provides tenants
6 with a warning system. In Philadelphia, prior to
7 beginning an eviction action, your landlord is
8 supposed to provide you notice and wait through
9 the notice period before filing their lawsuit.
10 This notice period is to give the tenant time to
11 either pay what is owed or to move out of the
12 property.

13 As an attorney who practices in the
14 Philadelphia municipal court, I've seen countless
15 times where complaints are filed prior to the
16 expiration of a notice period even sometimes on
17 the same day or the next day. Which essentially
18 causes permanent harm of an eviction filing,
19 giving no ability for the tenant to remedy the
20 issue before this mark is put on their record.
21 Sometimes, if the tenant has waived that notice in
22 their lease, there's no advance warning at all.

23 In contrast, the eviction diversion
24 program does require notice of eviction diversion
25 rights and a waiting period of 30 days before

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2 filing for eviction. This advance notice that
3 your landlord may be getting ready to file a
4 complaint gives time to plan and to prepare. This
5 could include searching for a new property, or it
6 could include, include getting your money together
7 to come up with a plan.

8 The program's notice of rights and
9 waiting period serves another purpose. It is a
10 warning system, also, for tenants who have
11 landlords who are bad actors. I cannot tell you
12 how many people do not exercise their rights to
13 live in a safe and habitable property for fear of
14 retaliation. They fear that if they ask for
15 repairs or begin withholding their rent to
16 incentivize repairs, their landlord will file to
17 evict them. Unfortunately, I've seen that this
18 fear is founded. With the waiting period in the
19 eviction diversion program, tenants who receive
20 notice that is in retaliation have time to
21 possibly prevent a wrongful eviction filing.

22 Overall, the program is a significant
23 way to prevent harm for low-income renters
24 especially building in safeguards and room for
25 resolution. It can be the difference between

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2 being homeless or relegated to substandard housing
3 for the rest of their lives. As we saw in 2020
4 with a pandemic, none of us are immune from things
5 going wrong and this program gives everyone the
6 opportunity to set things right. This program
7 made sense then, it makes sense now. And LCD is
8 in support of permanence of the eviction diversion
9 program. Thank you.

10 VICE CHAIR LANDAU: Thank you so much.
11 I need to take over for a minute as Vice Chair but
12 thank you so much. Does anybody have any
13 questions? Any comments?

14 THE CLERK: There's one more.

15 VICE CHAIR LANDAU: Oh, one more. I
16 forgot. Thank you.

17 Please state your name for the record.

18 MR. WEINTRAUB-BARTH: Thank you. My
19 name is Adam Weintraub-Barth. I'm senior attorney
20 at Senior Law Center. I'd like to thank my
21 colleague Sherry for giving me her seat and also
22 for being a wonderful partner in the Philadelphia
23 eviction prevention program, along with our
24 colleagues at community legal services. I speak
25 here today in support of the permanent extension

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2 of the eviction diversion program.

3 At Senior Law Center, we seek justice
4 for older adults by using the power of the law,
5 educating the community, and advocating on local,
6 state and national levels. We're the only
7 nonprofit organization in Pennsylvania whose
8 mission is dedicated solely to providing legal
9 services to older persons and one of very few in
10 the nation. Our Tenant Rights project provides
11 representation and advocacy to tenants facing
12 various landlord tenant issues, including
13 evictions, ejectments, fair housing Commission
14 complaints, as well as those going through the
15 eviction diversion program.

16 Since the creation of eviction diversion
17 in 2020, thousands of tenants have been able to
18 stay in their homes or otherwise reach amicable
19 agreements to avoid going to court. We strongly
20 support the permanent extension of this program.
21 The extension is likely to prevent thousands more
22 evictions and keep tenants in their homes.
23 Importantly, though, it will also save
24 Philadelphia tenants countless unnecessary hours
25 in court, hours of missed work, family and

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2 personal obligations, and stress for tenants
3 having to go to court hearings that were simple
4 enough to resolve through diversion.

5 As representatives of older adults,
6 these incidental benefits of eviction diversion
7 and successful outcomes from diversion are truly
8 life changing and life saving for our clients.
9 Older tenants are more likely to be disabled,
10 frail, or in poorer health than younger tenants,
11 and housing has an enormous impact on their
12 health, safety, security, independence to age in
13 place versus being institutionalized or homeless
14 on the street. To put it simply, eviction
15 diversion has been an incredible success for our
16 clients. As is, most eviction cases result in a
17 settlement and only a small percentage result in a
18 hearing in front of a judge in municipal court.
19 Eviction diversion enables the court to deal with
20 fewer cases, allowing the court to devote its time
21 to more complex and adversarial matters.

22 We're further encouraged by the
23 availability of rental assistance, the targeted
24 financial assistance program available only
25 through the eviction diversion program. We hope

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2 that the council and mayor continue to provide
3 funding for rental assistance available both
4 through the diversion program and otherwise. And
5 we hope that the funding keeps up with the rising
6 cost of rent for tenants.

7 Targeted financial assistance has
8 provided an incentive for landlords, as we heard
9 today, and for tenants to participate in eviction
10 diversion and can be a lifeline for both parties.
11 We've had many successes both directly
12 representing clients in the program and also
13 providing information and legal advice to clients
14 as they navigate the program themselves. One of
15 the positive aspects of eviction diversion is it
16 allows tenants a level of anonymity with their
17 problems. Their issues don't get raised in an
18 open court, nor do their landlords' unproven
19 allegations against them create permanent public
20 records available for anyone to view.

21 As a result, tenants who have previously
22 made diversion agreements and remain in their
23 units are somewhat reluctant to come out in the
24 open and discuss their success stories over
25 concerns that anything might rock the boat with

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2 their landlord. Others who were able to negotiate
3 an amicable move out through diversion expressed
4 to us that the program allowed them to remain
5 anonymous and get a fresh start in a new home
6 without the stain of an eviction court filing.
7 For that reason, understandably, they wanted to
8 close that chapter of their lives and keep it
9 closed.

10 While I exclusively represent tenants,
11 my colleagues at Senior Law Center also represent
12 and assist homeowners and landlords. Eviction
13 diversion has been a success for both tenants and
14 landlords. No one is forced to agree to anything
15 and the eviction diversion staff assists parties
16 in finding common ground to benefit everyone. I
17 explain to my clients at the outset of
18 representation in a diversion matter, as the
19 mediators do in the mediations themselves, there
20 is no finding of right or wrong in diversion.
21 Rather, the goal is to see if we can work to find
22 common ground and find an agreement that works for
23 everyone.

24 Landlords aren't obligated to do
25 anything other than negotiate and discuss the

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2 matter in good faith. Incredibly, an opportunity
3 for both sides to simply discuss and work out
4 their issues in good faith has saved thousands
5 from eviction and will save thousands more. While
6 we strongly encourage the city council to enact
7 this legislation, I wanted to take a moment to
8 mention that there are some frustrations our
9 clients have endured in the program.

10 We've seen cases where landlords send
11 individuals to represent them in diversion
12 mediations who are unfamiliar with the facts of
13 the case and often don't even have settlement
14 authority. Other tenants have been directed to
15 the "direct negotiation pathway" where they're
16 instructed to negotiate directly with their
17 landlord or their landlord's attorneys and are
18 often met with radio silence. Perhaps the worst
19 and most frustrating situation is for the tenants
20 who go through diversion, reach an agreement,
21 don't breach it, and their landlord still files a
22 case in court against them.

23 We hope you'll consider these issues in
24 the future, but we think there is no better way to
25 work on improvements to the program than first

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2 making the program permanent. We strongly
3 encourage the enactment of this legislation to
4 make the eviction diversion program permanent, and
5 would also welcome the opportunity to work with
6 the council to find ways to continue to improve
7 the program in the future and help the eviction
8 diversion program reach its full potential in
9 benefiting both tenants and landlords. Thank you.

10 VICE CHAIR LANDAU: Thank you so much.
11 Thank all of you. It's the advocates and the
12 lawyers and the support staff that are really not
13 only making this a success but also benefiting
14 from it as well, I know, because it actually gives
15 you that moment before you get to court.

16 One of my favorite things he just talked
17 about was you have the anonymity of the unproven
18 allegations. And that's the problem, right?
19 Landlord alleges something, you could be the best
20 tenant in the world. It could have even been a
21 mistake. But once that complaint is filed in
22 court it doesn't go away and the world thinks you
23 did it.

24 And even if the case is withdrawn, there
25 it is in the docket, in the computer system, and

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2 it doesn't go away. So look forward to, to making
3 some, some moves on that, as well, as we try to
4 make sure that we conceal eviction records in the
5 future. But thank you all so much. Can't thank
6 you enough for what you do and for being here
7 today.

8 MR. WEINTRAUB-BARTH: Thank you.

9 VICE CHAIR LANDAU: Clerk, can you call
10 the next panel?

11 THE CLERK: Elizabeth Freed, the
12 Honorable Annette M. Rizzo, and Jennifer
13 Coatsworth.

14 VICE CHAIR LANDAU: Please state your
15 name for the record.

16 MS. FREED: Good afternoon. My name is
17 Elizabeth Freed and I'm a supervising attorney in
18 the housing unit at Community Legal Services.
19 Thank you for the opportunity to address the
20 committee in support of such an important bill
21 today, making the eviction diversion program
22 permanent in Philadelphia. As was I think
23 mentioned earlier, CLS was part of the coalition
24 that helped build EDP in 2020. And since that
25 time, we have been working with the housing

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2 counselors and the mediators in the program to
3 ensure that they are trained and well supported in
4 their work.

5 CLS also works to ensure the
6 coordination between some of these programs,
7 between the eviction diversion program and between
8 the Philadelphia eviction prevention project and
9 right to council. And all these programs work in
10 tandem to ensure that tenants are supported, no
11 matter where they are in the eviction process.
12 And as you've already heard quite a bit today, EDP
13 gives tenants the opportunity to resolve those
14 more straightforward cases earlier on in that
15 process with the support of housing counselors and
16 mediators. Those cases that involve more
17 complicated factors, legal defenses, those are
18 then handled by the court system with the benefit
19 of legal counsel for tenants through PEP and
20 through right to counsel.

21 All of these programs together with
22 other investments by the city are creating the
23 stability that will help us address our city's
24 housing crisis. It was said earlier, I'm going to
25 say it again, the diversion program has already

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2 proven successful. It is a program that we've
3 seen work. In 2023, landlords and tenants that
4 participated in mediation through EDP reached
5 agreements in 70 percent of cases. Again, I think
6 that's a really critical figure to return to
7 because it just shows what a successful program
8 this can be when landlords and tenants are given
9 the space to engage with each other prior to
10 court.

11 The program has also helped reduce
12 eviction filings by 40 percent last year. Also, a
13 very important figure to spend some time thinking
14 about because this program has saved thousands of
15 tenants from what many of our clients have
16 described as a traumatic long court process with
17 effects years down the road regardless of the
18 outcome of the court case that can often make it
19 very, very challenging as we've already heard
20 today, for them to find safe and affordable
21 housing in this city.

22 And I do want to spend a little bit of
23 time on targeted financial assistance as well.
24 This is the rental assistance that was introduced
25 in January 2023. It has just further strengthened

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2 the EDP program. More than 40 percent of cases
3 last year resolved through the help of TFA alone.
4 This is funding that we know we have seen keeps
5 people in their homes. It helps keep families
6 safe. It helps keep families together. It can
7 often protect people's very precious housing
8 subsidies. So all very, very important things.

9 TFA as we've heard, as well, also
10 compensates landlords directly when tenants fall
11 behind for any number of reasons. TFA can help
12 avoid tenant turnover. TFA can help landlords
13 avoid expensive, protracted court processes when
14 judicial intervention really isn't necessary a lot
15 of the time. So we do hope to see this funding
16 expanded both in the 2025 budget and beyond to
17 help even more tenants and landlords in
18 Philadelphia.

19 So in sum, CLS is so proud to see EDP
20 recognized as a successful model in reducing
21 evictions, benefiting both landlords and tenants
22 as we've heard today. And we look forward to
23 working collaboratively with our partners moving
24 forward and city council to ensure its continued
25 success in the future. Thank you.

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2 COMMITTEE CHAIR GAUTHIER: Please state
3 your name for the record and proceed with your
4 testimony.

5 HON. RIZZO: Okay. Good afternoon and
6 it's, it's great to be back in these chambers. My
7 name is Judge Annette M. Rizzo. Good to see you
8 all in this hallowed hall. I'm very honored to be
9 here and for all of you here. And when I look
10 this way, I just have to say this off record.

11 (Off the record.)

12 I'm going to shortcut my comments,
13 actually, I'm going to go off script because I
14 need to address some of the issues which are
15 raised in some of the other speakers. So I'm here
16 to help and support this wonderful body. It's
17 really an honor.

18 Yes, four years ago it started in the
19 middle of a crisis and yet this eviction program
20 was given life and a lifeline to so many and a
21 voice to stabilize so many families, blocks,
22 neighborhoods, and the city as a whole. It is a
23 ballet of coordinating essential local, regional,
24 and even national resources as we pull them in to
25 put this pathway of critical dialogue now between

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2 landlords, their reps, and of course, the tenants.
3 And it has borne success. We hear it over and
4 over. You can't say it enough.

5 But we have seen this dance before. And
6 what I want to hearken back and not have an
7 historic travel log, the videos will be shown
8 later. Some 16 years ago, we were at the center
9 of a mortgage finance meltdown. It wasn't a
10 health crisis but I can assure you it was crisis
11 that not just affected Philadelphia but beyond and
12 even internationally. And so there was a call to
13 arms. And truly at the center of all of this was
14 the fact that we were trying to preserve those
15 distressed homeowners which themselves were on the
16 brink of or into homelessness. So I cannot
17 believe the dialogue is the same and we are
18 addressing it this time the right way, in a quick
19 way, and I'm, I'm so grateful.

20 But at the epicenter of my crisis that I
21 dealt with were the courts. And the fact that
22 this program has been structured to actually have
23 pre complaint, pre filing basis to have that
24 meaningful face to face whether it's telephonic or
25 not, is so impactful. To bring the parties to

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2 bear at that time as, as, as has been stated so
3 eloquently that there's no record but early
4 intervention for landlords and tenants is
5 critical.

6 And you have assembled under this
7 program an amazing ecosystem of talented housing
8 counselors who deal with all the demographics in
9 this city, whether it is seniors, those who have
10 language, impairments, those who are veterans.
11 All of this is addressed on an individual basis
12 under one hood. And it has proven success on that
13 very, very micro basis and also on that macro. So
14 its lifeline, its continuity, it's, it's stability
15 to go forward as a permanent program with proper
16 funding just makes me feel so overwhelmed with joy
17 and such pride for the city.

18 We lead not just by, I would say
19 thought, but we lead by deed. And this has truly
20 been proven with Philadelphia to be a national
21 model, to be at the White House, all the things
22 that have occurred before. We are the leaders in
23 trying to stabilize housing in this city and we
24 will forever be really the model for this, this
25 country.

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2 I just say one thing that I find so
3 interesting. When we started the mortgage
4 foreclosure diversion program it was with a pilot
5 sotto voce p, small p. Then we went boldly to a
6 capital p. And the way we went permanent is we
7 just removed pilot. So I think I like the
8 auspices of this setting to really have eviction
9 stabilized, confirmed by permanency of all of the
10 working parts of this program. I salute you so
11 much in being the leaders in this.

12 And also former Councilmember Gimm, she
13 was quite a partner in this from the early stages
14 of discussion. So, yes, is it deja vu all over
15 again? In part. But this truly has been taking
16 it to another stage. So I can't thank you enough
17 for your support. Knowing that the permanency of
18 this program is really steadfast, needed, and only
19 will improve.

20 My one thoughts are continue outreach as
21 best you can. That's always an improvement.
22 Continued dialogue, collaborate with the courts.
23 This is as much a win-win for them as Sue
24 Wasserkrug would say, as for the individuals,
25 right?

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2 We lower dockets, better administration.

3 They get to the other matters at hand. Work with
4 them, even if there's programs under the hood that
5 even if a filing is made of a distressed tenant,
6 that there could be programs even available under
7 that format. There's more to be done but we have
8 the right people in place to do it. The courts
9 are, you know, though you don't want court
10 intervention, please look to them as what could be
11 other options in terms of it. So again, I salute
12 and I -- it's an honor and privilege to be here
13 and to see all that has come forward. Thank you.

14 COMMITTEE CHAIR GAUTHIER: Thank you so
15 much. I'm a Judge Rizzo fan, it means so much for
16 you to be here. And I just want to thank you so
17 much for not only your support of this program,
18 but your, your efforts for housing justice, you
19 know, more broadly, including everything that you
20 did to help us get to a just settlement for the
21 tenants of the University City townhomes. I
22 admire you so much.

23 HON. RIZZO: (indiscernible) of your
24 leadership, yeah.

25 VICE CHAIR LANDAU: I, too, am a member

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2 of the Judge Rizzo fan club and one thing I want
3 to thank you for is it's so frustrating and so
4 difficult at times when you're representing so
5 many low-income tenants in a system that is not
6 set up for their success. That the system, until
7 now, has been set up to create -- have as many
8 evictions as possible. If folks couldn't pay or
9 if for other reasons if they had to leave. But
10 you taught me a term that you created in the
11 mortgage foreclosure program that works for us now
12 as well. That even through these mediation
13 programs not -- going through the eviction
14 diversion mediation program, not every scenario is
15 going to work out fully beneficially for the
16 tenant. But you talked about a soft landing.
17 HON. RIZZO: Graceful exit.
18 VICE CHAIR LANDAU: Graceful exit.
19 HON. RIZZO: Graceful exit. That's
20 right. Actually it's a national following now and
21 it's -- but doesn't it fit the bill?
22 Councilmember Landau, doesn't it fit the bill?
23 VICE CHAIR LANDAU: Thank you. It is
24 really that moment where there's not much else you
25 can do. But as was stated earlier, you're not

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2 going to have a mark on your record. You're not
3 going to have an eviction filing even and you
4 might even have bought yourself 30 days to get out
5 and to start anew. But at least you have the
6 graceful exit.

7 HON. RIZZO: Right.

8 VICE CHAIR LANDAU: Thank you so much.

9 COMMITTEE CHAIR GAUTHIER: Minority
10 Leader.

11 COUNCILMEMBER JONES: Madam Chair.
12 Whenever.

13 COMMITTEE CHAIR GAUTHIER: Seniority
14 trumps.

15 COUNCILMEMBER JONES: No, no. I yield.

16 COMMITTEE CHAIR GAUTHIER: Council would
17 you -- Minority Leader.

18 COUNCILMEMBER BROOKS: Thank you. Thank
19 you so much for all your support. Yeah, it's
20 really good to see you. I'm trying to -- I'm
21 adding to the fan club, like, this has been an
22 interesting journey, you know, and I really
23 appreciate you taking this journey with us. So I
24 just wanted to just chime in and say thank you as
25 well.

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2 HON. RIZZO: It's so an honor to work
3 with all of you and thank you.

4 COMMITTEE CHAIR GAUTHIER: Councilmember
5 Jones.

6 HON. RIZZO: Where have you -- I have
7 been looking for you.

8 COUNCILMEMBER JONES: Here we go. So
9 I'm one of your day one fans. Early in the kind
10 of origins of the mortgage diversion program, we
11 were feeling our way, we were building a ship
12 while we were trying to fly it. And I remember
13 your wealth of knowledge as to what we should do,
14 what we can do. You explained to me early that we
15 were separate pari passu organizations, cannot
16 trump one another but we can work together. And
17 you prove that. And so just for the record how
18 many homes have you saved or the process saved
19 now?

20 HON. RIZZO: You know, I believe the
21 stats at this time, and I still am involved with
22 the program. I volunteer as well. So I think
23 it's over 17,000, which that, that might be --

24 COUNCILMEMBER JONES: Amazing, amazing.

25 HON. RIZZO: Yeah, yeah. Thank you.

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2 That, that is the fueling of a program we thought
3 was only going to last a few years. And as we
4 say, the rest is history as it is here. And I, I
5 do appreciate that. It's sort of -- parts of it
6 were a template, again, for this but much more has
7 gone further with it --

8 COUNCILMEMBER JONES: Oh, yeah.

9 HON. RIZZO: -- for the immediacy of it.
10 So, yes, we had that relationship early on in
11 building -- you're right -- building the plane as
12 we were flying it. It worked.

13 COUNCILMEMBER JONES: What was amazing
14 for me is a guy I went to school with who will
15 remain nameless because this is public, came into
16 my office he was, like, Mr. Prom King, captain of
17 the football team kind of guy and voted most
18 likely to succeed, came in during this process and
19 shut my door and admitted that he was about to
20 lose his grandparents' home. It humbled him,
21 like, I wasn't used to him being vulnerable. And
22 I looked at him and he just shook his head and
23 said, this might save it. And it did. And so for
24 those tens of thousands of people that you help,
25 thank you.

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2 HON. RIZZO: Thank you.

3 COMMITTEE CHAIR GAUTHIER: All righty.

4 Thank you so much.

5 HON. RIZZO: All right. Great to see
6 you all.

7 COMMITTEE CHAIR GAUTHIER: You, too.

8 HON. RIZZO: As I should say in all of
9 my comments anywhere over these years, may the
10 force be with all of us.

11 COMMITTEE CHAIR GAUTHIER: Thank you.

12 Please state your name for the record and proceed
13 with your testimony.

14 MS. COATSWORTH: Good afternoon.

15 Jennifer Coatsworth from the Philadelphia Bar
16 Association. Good afternoon, Madam Chair. Madam
17 Vice Chair, members of the committee. I also am a
18 card-carrying member of the Judge Rizzo fan club
19 and on behalf of the members of the Philadelphia
20 Bar Association, thank you for the opportunity to
21 testify today in favor of continuing funding for a
22 program that has kept thousands of Philadelphians
23 in their homes and made our city a nationwide
24 model for its success, the Philadelphia eviction
25 diversion program.

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2 My name is Jen Coatsworth. I'm a
3 partner at Margolis Edelstein and as I stated, the
4 chancellor of the Philadelphia Bar Association for
5 2024. One of our association's core missions is
6 to foster an understanding of, involvement in, and
7 equal access to our justice system. That's why we
8 have been proud to support our partners at the
9 city and the legal services community in
10 supporting the eviction diversion program since
11 its inception as a pilot in, in 2019.

12 As the poorest large city in America,
13 Philadelphia has long struggled to address its
14 eviction crisis, which has overwhelmingly
15 disproportionate impact on non-white Philadelphia
16 residents. Even before the onset of COVID-19 and
17 related economic challenges, the city averaged
18 19,000 eviction filings per year. In
19 Philadelphia, households headed by black women
20 with children are the most likely to face eviction
21 driven changes to housing stability. And this
22 continued during COVID-19 with 49 percent of
23 eviction filings occurring in majority black
24 communities and 78 percent occurring in
25 communities of color.

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2 Through the eviction diversion program,
3 EDP, and its agency partners, including community
4 legal services, Philadelphia Legal Assistance, the
5 Senior Law Center, Legal Clinic for the Disabled,
6 the tenant union representative network, and
7 others, tenants gain access to free, crucial tools
8 for staying in their homes. That includes pro
9 bono legal services for low-income tenants, an in-
10 court help center, a tenant helpline, financial
11 counseling, a website, and community education,
12 and more.

13 Perhaps most importantly, through this
14 program, tenants and landlords get the gift of
15 time. A 30 day pause in eviction proceedings with
16 the opportunity to come to a resolution to help --
17 with the help of a trained volunteer mediator.
18 Tenants get to stay in their homes while the
19 process plays out and both tenants and landlords
20 save the cost and stress of going to court and
21 eviction filings don't bog down our overburdened
22 court system. Plus, through remediation, an array
23 of disagreements can be resolved including
24 property damage and repairs. And which once
25 addressed can directly and indirectly improve the

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2 health, safety, and quality of life for residents,
3 neighbors, and entire communities.

4 The proof of this program's success is
5 clear. Since its inception, EDP has helped
6 thousands of low-income residents avoid
7 homelessness. It has been nationally recognized
8 as a model by the Urban Institute and called one
9 of the best designed diversion programs in the
10 country by Princeton University's eviction lab.
11 According to the eviction lab, eviction filings in
12 Philadelphia are down by 40 percent compared to
13 pre-pandemic levels and 70 percent -- 70 percent
14 of parties participating in diversions -- in the
15 diversion program are able to reach an agreement.

16 Our bar association represents more than
17 8,000 judges and legal professionals -- judges,
18 lawyers, and legal professionals, including
19 attorneys who represent both landlords and
20 tenants. Since EDP was created, we have held
21 yearly CLE programs to train and recruit volunteer
22 mediators. We also strongly advocated for the
23 passage of right to counsel for all tenants facing
24 eviction and have worked to convene stakeholder
25 group to develop recommendations for reforming and

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2 modernizing the landlord tenant office. Both of
3 these are important companion initiatives to the
4 EDP in addition to other amazing legislative
5 proposals that this body has put forth to combat
6 the housing crisis.

7 Continuing to fund EDP is common sense.
8 It has a proven track record of success and
9 provides both landlords and tenants with necessary
10 support navigating the complex and often fraught
11 emotional process. Importantly, the program has
12 saved thousands of tenants from becoming
13 associated with an eviction record, which can be a
14 serious barrier to obtaining safe and affordable
15 housing in the future, even if the courts rule in
16 favor of the tenant. Moreover, the program has
17 relieved stress on our court system which unlike
18 other large cities, did not experience the tidal
19 wave of eviction cases once pandemic era
20 moratoriums ended. We hope that this testimony
21 and the written comments we are submitting today
22 are helpful to the council as it works to
23 determine the future of this program.

24 We're grateful for the opportunity to
25 support this legislation, and we stand ready to

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2 help continue to support the eviction diversion
3 program and to assist the city in whatever way we
4 can. And I'm happy to answer any questions.

5 COMMITTEE CHAIR GAUTHIER: Thank you so
6 much for your testimony and we greatly appreciate
7 your support and partnership. Thanks to all of
8 you.

9 We will now move on to the public
10 comment list. We ask that all commenters limit
11 your testimony to two minutes and if you've
12 submitted written testimony, please summarize it.

13 Ms. Jones, please call the names of the first
14 three public commenters.

15 THE CLERK: Andy Toy. Stephen
16 Chintaman. Ed Stickell.

17 COMMITTEE CHAIR GAUTHIER: Good
18 afternoon and thank you so much for being here
19 today. Please state your name for the record and
20 proceed with your comment.

21 MR. STICKELL: Good afternoon,
22 distinguished council members, and thank you for
23 your courtesy and accommodation. My name is Ed
24 Stickell, and I moved to this glorious city five
25 years ago when I decided that I did not want to

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2 grow old and die in a place I had lived over two
3 decades. At that time, my good friend Ron said to
4 me, you need to spend some time to find someplace
5 you're really going to enjoy and appreciate being
6 in.

7 And following his advice I conducted an
8 international search. And at the end of that, I
9 find myself here in Philadelphia. Now, how did I
10 end up in Philadelphia? After looking at
11 Edinburgh and Copenhagen and Sydney and Taipei and
12 all around the world, I came to the conclusion
13 that Philadelphia is where I wanted to be. And
14 why was that? It is because, because of the charm
15 and the character. And where did the charm and
16 the character of a city come from? From the
17 people who live in it. And I can also state
18 without equivocation that Philadelphia is as cool
19 today as it was 30 years ago, and I know this
20 because I've been coming to this city off and on
21 for 30 years.

22 Now, back in those days, I lived in
23 Manhattan and admittedly in those days Manhattan
24 did have the edge on Philadelphia in the cool
25 department. However, that was then and this is

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2 now. And New York has lost every ounce of cool
3 that it ever had. How did it lose its cool? They
4 forced out cool kids with their insane rents. And
5 many of those cool kids live in this city right
6 now because this was a place where a lot of them
7 came to. I just lost my train of thought.

8 Anyway, the charming character and the
9 coolness and this, this city is just a marvelous
10 place that I have totally fallen in love with.
11 And how people end up in places that are charming
12 and have character and are cool is through stable
13 communities. Stable communities are the bedrock
14 of a city of quality. The absolute foundation.
15 Where people can put down roots and know that
16 they're going to be someplace for decades and
17 where they can raise their kids and that stability
18 will produce results across the board.

19 Housing is a foundational -- in fact, I
20 would say it is the foundational issue. I am
21 quite well aware that this council is attacking
22 many of the issues that are plaguing this city
23 right now. Many of the members of this council
24 are concerned with crime. I know our illustrious
25 mayor has made crime a centerpiece of her

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2 administration. Well, stable communities have
3 less crime. If you want to get control on the
4 crime situation you need to promote stable
5 communities where people feel safe and where
6 they're invested. I know that many members of
7 this council are committed to addressing the
8 addiction epidemic that is plaguing this city and
9 this commonwealth in general.

10 Again, housing is a foundational issue.
11 If you want to address addiction, you need to
12 address housing. People need to come from stable
13 neighborhoods. They need to know that they have
14 stable neighborhoods to be in. They need to know
15 they're not going to be displaced and being batted
16 around, hither, thither, and yon. I know that
17 many members of this council are concerned with
18 education. Foundational issue is housing. You
19 cannot build good schools unless you have stable
20 housing with people who are going to be there for
21 a while and will invest their time and their
22 energy into their schools. That's how you get
23 good, quality education. And I could go through
24 the entire list of all the issues and concerns
25 that plague this city and many, many others, but

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2 it all goes back to housing.

3 So I am very appreciative of the members
4 of this council, Councilmember Brooks and
5 Councilmember Gauthier, Councilmember O'Rourke,
6 and Councilmember Landau and all the others who
7 have worked so mightily on building this
8 foundation -- this foundation stone that we need
9 to create stabilized housing in this city which
10 will help us solve all the other problems facing
11 us. I thank you very much for your attention and
12 your courtesy and hope you have a blessed
13 afternoon.

14 COMMITTEE CHAIR GAUTHIER: Thank you for
15 your comment and for ranking us more highly than
16 New York and Copenhagen.

17 Good afternoon, Steve. Please state
18 your name for the record and proceed with your
19 comment.

20 MR. CHINTAMAN: Stephen Chintaman, vice
21 president of the Pennsylvania Apartment
22 Association. Good afternoon, Chairwoman Gauthier,
23 Vice Chair Landau, and members of the committee on
24 Housing, Neighborhood Development, and the
25 Homeless. My name is Stephen Chintaman and I am

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2 the new vice president of Government Affairs for
3 the Pennsylvania Apartment Association,
4 representing over 287,000 units and 316 property
5 management companies across the commonwealth.

6 Locally here in Philadelphia, we represent over
7 38,000 units and 49 management companies.

8 I'd like to thank you for the
9 opportunity to testify today on Bill 240245, which
10 would make the city's residential eviction
11 diversion program permanent. I would also like to
12 thank Minority Leader Brooks and her staff for
13 their leadership on this matter.

14 The Pennsylvania Apartment Association
15 and its members appreciates this legislative
16 body's commitment to cross collaboration in
17 ensuring we create a program that finds
18 equilibrium for both landlords and tenants. It
19 should be known that the PAA's apartment owners
20 and managers do not seek opportunities to evict
21 residents. We are an organization that is
22 committed to working with stakeholders and
23 government in addressing housing instability
24 across the commonwealth and the nation. We were
25 proud to join the White House Eviction Reform

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2 Summit that sought to build a sustainable model
3 towards eviction reform.

4 The PAA opposes this legislation as we
5 believe there are regulatory concerns with the
6 current eviction diversion program. We hope that
7 the council would consider the following
8 recommendations. Creating a program that only
9 applies to tenants who qualify for assistance and
10 participate due to a nonpayment of rent issue.
11 Amending the program to allow for a seven-day
12 prescreening period to determine whether the
13 tenant qualifies for financial assistance.
14 Amending the program to allow landlords to receive
15 funding through the targeted financial assistance
16 program with reimbursement within 30 days.

17 Identifying a permanent and sustainable
18 funding source for the eviction diversion program.
19 Many of the states and local governments that
20 still currently operate an eviction diversion
21 program are in similar position as the city of
22 Philadelphia with federal stimulus dollars
23 reaching sunset and/or exhaustion by the end of
24 the current fiscal year. In order to make these
25 programs permanent, long term funding solutions

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2 will need to be implemented --

3 COMMITTEE CHAIR GAUTHIER: And I'm going
4 to ask you to wrap up in the next 20 seconds or
5 so.

6 MR. CHINTAMAN: -- and I'll just end by
7 saying that the PAA would welcome any opportunity
8 to continue to work with this committee and all
9 stakeholders who will be impacted by any potential
10 changes due to this bill. We appreciate your time
11 and consideration.

12 COMMITTEE CHAIR GAUTHIER: Thank you for
13 your comment.

14 Ms. Jones can you call the name of the
15 next public commenter?

16 THE CLERK: We have Ali Zane and Ms.
17 Cecilia Thompson.

18 COMMITTEE CHAIR GAUTHIER: Please state
19 your name for the record and proceed with your
20 comment.

21 MR. ZANE: Ali Zane. Esteemed members
22 of city council, thank you for having me. My name
23 is Ali Zane and I am here today on behalf of the
24 housing committee of the Philadelphia Democratic
25 Socialists of America. Philly DSA is proud to be

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2 a community co-sponsor of the Our Philadelphia
3 Neighborhoods policy platform. And we call on
4 city council to extend and invest in the eviction
5 diversion program by passing bill number 240245.

6 When landlords are unresponsive, when
7 the heat and elevators don't work, and buildings
8 are literally falling apart, Philadelphia renters
9 are coming together to exercise their legally
10 protected right to organize. Renters across our
11 great city, including tenants in Brith Sholom in
12 West Philadelphia, are organizing for safe,
13 affordable, and dignified housing. Unfortunately,
14 when renters exercise their rights they risk
15 retaliatory eviction. Renters facing such
16 retaliation can seek relief with the Fair Housing
17 Commission. However, because of current municipal
18 court rules, renters must race to file an FHC
19 complaint before their landlord gets to eviction
20 court. As it has been said by many people today,
21 the eviction diversion program gives the gift of
22 time. Time to file an FHC complain or time to
23 make the rent work or time to make a graceful exit
24 without the black stain of an eviction record.
25 This time is especially important for renters who

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2 work long hours or those who care for children or
3 disabled family members.

4 When we organize tenants in
5 Philadelphia, one thing we hear all the time is
6 that rents are unaffordable and they're only
7 getting higher. According to the national Low
8 Income Housing Coalition, a worker in Philadelphia
9 needs to earn three times the minimum wage to
10 afford a modest one-bedroom apartment. For
11 renters on government assistance programs like
12 SSI, affordable housing is almost impossible to
13 find. That is why it is critical for city council
14 to invest more funding in the targeted financial
15 assistance program, in addition to making EDP
16 permanent.

17 In conclusion, Philly DSA urges this
18 committee to pass bill number 240245 and save the
19 eviction diversion program.

20 COMMITTEE CHAIR GAUTHIER: Thank you so
21 much for your comment and your advocacy.

22 Cecilia, thank you for being the most
23 dedicated community advocate. You're here almost
24 every single day for one reason or another.

25 MS. THOMPSON: I got a little bit of

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2 time now.

3 COMMITTEE CHAIR GAUTHIER: Please state
4 your name for the record and proceed with your
5 comment.

6 MS. THOMPSON: Sure. My name is Cecilia
7 Thompson. I want to thank members of the
8 committee for having this hearing. My testimony
9 is for those families who have to care for people
10 with disabilities when they have to lose their job
11 or quit their job to care for those families. A
12 few months ago, I had to help a family who had
13 asked the landlord for that renter's
14 certification. He refused to give it to her. So
15 her rent got behind because you need that
16 certification to get the programs. Long story
17 short, he had -- he, he had intended on evicting
18 her and this was a woman who was waiting for the
19 state to supply a one to one to her 22-year-old
20 that, that was a paraplegic.

21 Long story short, when he did go through
22 the program, his thing was he thought the money
23 was going to take forever and a day to get to him,
24 that's why he didn't want to be bothered. Come to
25 find out it, it didn't take long. I think it

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2 took, like, maybe 30 days or, or something like
3 that. But my point is that when the family has to
4 cease working to care for their loved one and they
5 have to temporarily get on either SSA or SSI,
6 that's a stressor that they shouldn't have to
7 endure. As a parent who does care for a loved one
8 with severe autism, that's a stress in itself, let
9 alone you have to worry about roof over your head
10 and, and, and those type of things, so.

11 When individuals have to go to these
12 diversion programs, hopefully there will be
13 assistance for those families who either
14 permanently or temporarily have to be on
15 government assistance, again, to care for those
16 -- their loved ones with disabilities. Thank you
17 for the opportunity to speak this afternoon, and I
18 am in strong support of this initiative being a
19 permanent initiative.

20 COMMITTEE CHAIR GAUTHIER: Councilmember
21 Jones?

22 COUNCILMEMBER JONES: Yeah. Madam
23 Chair, I will be brief because I know we have a
24 hard stop. But I'd like permission to work with
25 the apartment association to talk about what post

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2 these -- moving out of this legislation, out of
3 committee might mean in future. And if you bless
4 me to do that, I would take that on.

5 COMMITTEE CHAIR GAUTHIER: Sure thing.
6 We're always willing to have those -- to have
7 those conversations, yeah.

8 COUNCILMEMBER JONES: And then number
9 two, Brith Sholom, which is in the fourth
10 councilmatic district, needs these protections.
11 And it's not just Brith Sholom, it's the Pavilion,
12 it's -- I can name five or six developments that
13 are teetering, tottering on these kinds of
14 eviction issues that need that gift of time. And
15 I think that's the most profound articulation of
16 what this program means, so.

17 COMMITTEE CHAIR GAUTHIER: Thank you,
18 councilmember, and thanks to you both for your
19 comment. We truly appreciate you.

20 MS. THOMPSON: Thank you.

21 COMMITTEE CHAIR GAUTHIER: Seeing no one
22 else here to testify on the bill, this concludes
23 the public hearing. We will now go into a public
24 meeting to consider the action to be taken on the
25 bill heard today. Can the clerk please call the

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2 roll?
3 THE CLERK: Councilmember Jones?
4 COUNCILMEMBER JONES: Yes. Present.
5 THE CLERK: Councilmember Squilla?
6 COUNCILMEMBER SQUILLA: Present.
7 THE CLERK: Vice Chair -- excuse me --
8 Vice Chair Landau?
9 VICE CHAIR LANDAU: Present.
10 THE CLERK: And Chair Gauthier?
11 COMMITTEE CHAIR GAUTHIER: Present.
12 The Chair recognizes Vice Chair Landau
13 for a motion on the amendment to bill number
14 240245.
15 VICE CHAIR LANDAU: I, I, I --
16 COUNCILMEMBER JONES: I move.
17 VICE CHAIR LANDAU: I move to -- I move
18 to --
19 COUNCILMEMBER JONES: Turn your mic up.
20 VICE CHAIR LANDAU: Sorry. It's an
21 amendment? Amendment?
22 COMMITTEE CHAIR GAUTHIER: Uh-huh.
23 VICE CHAIR LANDAU: We are doing an
24 amendment. Okay. I got you. I got you.
25 Thank you, Madam Chair. I offer an

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2 amendment to bill number 240245. A copy of the
3 amendment has been circulated to all members of
4 the committee. I move that the amendment to bill
5 number 240245 be approved.

6 COUNCILMEMBER JONES: I second.

7 COMMITTEE CHAIR GAUTHIER: It has been
8 moved and properly seconded that the amendment to
9 bill number 240245 be approved. All those in
10 favor of the motion will signify by saying aye.

11 (Aye.)

12 COMMITTEE CHAIR GAUTHIER: Those
13 opposed?

14 (No response.)

15 COMMITTEE CHAIR GAUTHIER: The ayes
16 haven't it and the motion carries. And the
17 amendment to bill number 240245 has been approved.
18 The chair recognizes Vice Chair Landau for a
19 motion on bill number 240245, as amended.

20 VICE CHAIR LANDAU: Thank you, Madam
21 Chair. I move that bill number 240245 as amended,
22 be reported from this committee with a favorable
23 recommendation and further move that the rules of
24 council be suspended to permit first reading of
25 this bill at the next session of council.

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2 COUNCILMEMBER JONES: I second.

3 COMMITTEE CHAIR GAUTHIER: It has been
4 moved and properly seconded that bill number
5 240245, as amended, be reported from this
6 committee with a favorable recommendation. And
7 further move that the rules of counsel be
8 suspended to permit first reading of this bill at
9 the next session of counsel. All those in favor
10 of the motion will signify by saying aye.

11 (Aye.)

12 COMMITTEE CHAIR GAUTHIER: Those
13 opposed?

14 (No response.)

15 COMMITTEE CHAIR GAUTHIER: The ayes have
16 it, and the motion carries. Bill number 240245,
17 as amended, will be reported from this committee
18 with a favorable recommendation and a request that
19 the rules of council be suspended to permit first
20 reading at the next session of council.

21 This concludes the business of the
22 committee on Housing, Neighborhood Development,
23 and the Homeless today. Thank you all very much
24 for your attendance and participation.

25 (The Committee was adjourned.)

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3 CERTIFICATE OF TRANSCRIPTIONIST

4 I, HEATHER FACTOR, Legal Transcriptionist, do
5 hereby certify:

6 That the foregoing is a complete and true
7 transcription of the original digital audio recording
8 of the proceedings captured in the foregoing matter.

9

10 IN WITNESS THEREOF, I have hereunto set my hand
11 this 20th day of June, 2024.

12

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Heather Factor

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