

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, March 20, 2013
1:25 p.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

RESOLUTIONS 130088, 130090, 130093, 130097,
130098, and 130099

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COUNCIL PRESIDENT CLARKE: Good

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afternoon, everyone. We're going to

4

start now. Thank you all very much.

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This is the Committee of the

6

Whole. Today's hearing we will be

7

hearing Council Resolution No. 130088,

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130090, 130093, 130097, 130098, and

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130099. This is a continuation of

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yesterday's hearing.

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At this time, Mr. Christmas,

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I'd ask you to please read the titles of

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the resolutions.

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THE CLERK: Resolution 130088,

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authorizing City Council's Committee of

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the Whole to hold public hearings on the

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procedures that the City currently

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employs and proposes to employ to collect

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the delinquent real estate taxes owed the

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City and School District by

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owner-occupants, the effectiveness or

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shortcomings of existing and proposed

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procedures, and the additional measures

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and resources required to improve the

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system for collecting delinquent real

1 3/20/13 - WHOLE - RES. 130088, etc.

2 estate taxes owed by owner-occupants; and

3 Resolution 130090, authorizing
4 City Council's Committee of the Whole to
5 hold public hearings to examine the
6 City's efforts to collect delinquent real
7 estate taxes owed by owners of
8 residential investment properties and the
9 additional measures and resources
10 required to reduce real estate tax
11 delinquency; and

12 Resolution 130093, authorizing
13 City Council's Committee of the Whole to
14 investigate and hold public hearings
15 reviewing the system utilized by the City
16 of Philadelphia to collect delinquent
17 real estate taxes, the effectiveness and
18 shortcomings of the existing system, and
19 the new methods and resources proposed by
20 the Administration to increase the
21 collection of delinquent real estate
22 taxes; and

23 Resolution 130097, authorizing
24 City Council's Committee of the Whole to
25 hold public hearings on the procedures

1 3/20/13 - WHOLE - RES. 130088, etc.
2 that the City currently employs and
3 proposes to employ to collect delinquent
4 commercial real estate taxes owed the
5 City and School District, the
6 effectiveness and shortcomings of
7 existing and proposed procedures, and the
8 additional measures and resources
9 required to improve the system for
10 collecting delinquent real estate taxes;
11 and

12 Resolution 130098, authorizing
13 City Council's Committee of the Whole to
14 hold public hearings on vacant, tax
15 delinquent properties in the City, the
16 impact of such properties on the City,
17 and the procedures that the City
18 currently employs and proposes to employ
19 to collect delinquent real estate taxes
20 from such properties and the efficacy of
21 those procedures; and

22 Finally, Resolution 130099,
23 authorizing City Council's Committee of
24 the Whole to hold public hearings on the
25 procedures that the City currently

1 3/20/13 - WHOLE - RES. 130088, etc.
2 employs and proposes to employ based on
3 accepted best practices to collect
4 delinquent real estate taxes owed the
5 City and School District of Philadelphia.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you so much, sir.

8 For our first witnesses, the
9 Chair calls Alan Butkovitz, the City
10 Controller, and Craig White, CEO of
11 Philadelphia Gas Works.

12 (Witnesses approached witness
13 table.)

14 COUNCIL PRESIDENT CLARKE: Good
15 afternoon, gentlemen.

16 CONTROLLER BUTKOVITZ: Good
17 afternoon.

18 COUNCIL PRESIDENT CLARKE: Have
19 you submitted testimony?

20 CONTROLLER BUTKOVITZ: I
21 believe we have.

22 MR. WHITE: I have not.

23 COUNCIL PRESIDENT CLARKE: I
24 was going to ask if you did, just ask you
25 to just kind of summarize your

1 3/20/13 - WHOLE - RES. 130088, etc.
2 presentation. We have a long witness
3 list and I'm going to ask everybody to do
4 that. Yesterday we didn't get an
5 opportunity to get everybody in.

6 CONTROLLER BUTKOVITZ: All
7 right. Well, in a nutshell --

8 COUNCIL PRESIDENT CLARKE: But,
9 sir, Mr. Butkovitz, do as you please,
10 sir. You oversee our book, so whatever
11 your pleasure is, sir, please feel free.

12 CONTROLLER BUTKOVITZ: In a
13 nutshell, uncollected taxes and enhancing
14 revenues has been probably the principal
15 focus of our office for the last eight
16 years. So we have recited some of the
17 high points of that, such as the tax
18 amnesty, which City Council enacted over
19 objections of the Administration, which
20 recovered over \$70 million in
21 collections, an expansion of the tax
22 clearance -- well, we also recommended at
23 that time an expansion of the tax
24 clearance system and the construction of
25 a data warehouse to allow for more varied

1 3/20/13 - WHOLE - RES. 130088, etc.
2 methods for ensuring tax compliance.

3 We have in 2009 made the first
4 use of the 1937 law authorizing the
5 Controller to garnish wages of City
6 employees who were delinquent in their
7 taxes. That has yielded over \$3 million
8 in back taxes. We've identified a number
9 of other areas of accounts receivable,
10 \$132 million in delinquent water and
11 sewer, \$70 million in uncollected court
12 fines, \$70 million in uncollected fines
13 and fees for litter and false alarm, \$50
14 million in outstanding bills for
15 emergency medical services, and at least
16 \$2 million in uncollected wage taxes due
17 to the underground economy.

18 I didn't know Mr. White would
19 be joining us. We wanted to commend PGW
20 for the legislative changes that were
21 accomplished 15 years ago and PGW's
22 outstanding record in reducing a stubborn
23 and intractable collections problem. And
24 I guess the point there is, if PGW could
25 do it, the City could do it generally.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 We also will salute the Patrick
3 Kerkstra series in the Inquirer and are
4 recommending that until -- that the
5 Revenue Department should identify the
6 delinquent properties which are investor
7 owned, and until they do, the City ought
8 to --

9 (Councilman Johnson clapping.)

10 CONTROLLER BUTKOVITZ: Okay.
11 Until they do, the City and Redevelopment
12 Authority should be expediting their
13 efforts to move property from City
14 ownership into the hands of developers.

15 Law and Revenue should be
16 working more closely together to ensure
17 that the number of properties that are
18 listed for Sheriff Sales are increased.

19 You got the general idea.

20 COUNCIL PRESIDENT CLARKE: We
21 got the point. Thank you.

22 Mr. White, and then we'll open
23 it up for questions.

24 MR. WHITE: President Clarke
25 and members of Council, thank you for

1 3/20/13 - WHOLE - RES. 130088, etc.

2 inviting me today. I'm happy to be here.

3 And, Mr. Butkovitz, thank you
4 for those kind remarks.

5 In the context of what you're
6 addressing, I must state right up front
7 that natural gas collections are a little
8 different than obviously your tax
9 collections. We have the ultimate
10 ability to shut off gas, and that is a
11 significant incentive for people to pay
12 their gas bill.

13 But having said that, I'd be
14 happy to describe some of the practices
15 that we've employed over the last ten
16 years that really have -- there may be
17 some applicability, and certainly the
18 expertise we have at PGW, we would be
19 more than happy to send any of our folks
20 down to assist or discuss some of the
21 things that we're doing now, and I'll
22 just briefly go over this.

23 But as I said, we do have the
24 ability to turn off gas, and that has a
25 significant impact. We also have since

1 3/20/13 - WHOLE - RES. 130088, etc.
2 2003 fallen under the regulation of the
3 PUC. The PUC demands that we take
4 certain collection practices very
5 seriously, and if we do not, they will
6 intercede. So certainly we have another
7 hammer that requires us to do some of the
8 things that we do, but within that
9 context, we've employed some strategies
10 using technology and otherwise. But let
11 me go through the four areas that I think
12 are very important.

13 First of all, we did change the
14 regulation at the state, along with the
15 help of many of the State Representatives
16 and State Senators and other politicians,
17 but the purpose of that change in
18 legislation was to encourage people who
19 can pay their gas bill but choose not to
20 to actually pay it. And what we did was,
21 we received the ability to require
22 deposits. It established new shut-off
23 and turn-on policies. So we had
24 another -- a much more aggressive
25 approach than what we had in the past.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 The second item is effective
3 use of technology, and what we did at
4 PGW, we automated our outbound calling,
5 and we've got specific messages for
6 specific situations. We don't give
7 everyone the same message, and I'll get
8 into that a little bit later, but we
9 uniquely craft a message for your
10 particular situation, and I'll describe
11 in a moment how we identify that
12 situation.

13 The other thing we do is, we do
14 24/7 bill receipt -- or your ability to
15 pay, I should say. You can do that over
16 our automated phone system or you can do
17 it on the web. So there's an ability to
18 pay your bill at any time.

19 We also have an automated lien
20 management system, and we can place a
21 lien on a property automatically. We
22 place more liens than we ever did before
23 because we have ability to do that, and
24 obviously we can place multiple liens if
25 there's multiple situations at the same

1 3/20/13 - WHOLE - RES. 130088, etc.
2 property.

3 The third prong in our success
4 is a reduction in accounts receivable.
5 And we have two reasons primarily why we
6 have receivables run up, and that's due
7 to meter access issues and obviously
8 customer behavior, people who choose not
9 to pay.

10 We created what we call our
11 landlord cooperation programs, and what
12 we've done there is, we've given the
13 landlord an opportunity to avoid a lien
14 at their property by virtue of giving us
15 the ability to get into that property,
16 and if there's a meter that needs to be
17 replaced because it's not running
18 correctly or because there's something
19 else going on, maybe something untoward,
20 a theft or anything of that sort, we can
21 then shut the meter off and stop the
22 bleeding so the delinquency doesn't
23 continue to grow.

24 The other thing we do -- and I
25 think this is probably the most unique

1 3/20/13 - WHOLE - RES. 130088, etc.
2 thing we do in our entire program -- we
3 do risk-based collections, and we
4 evaluate the level of risk to you paying
5 your bill based upon your bill payment
6 history. Now, obviously you could add in
7 other things like your credit score and
8 so forth. We choose not to do that
9 because we have to pay for that. But
10 what we do is, we look at your history,
11 and we can determine if you're going to
12 pay your bill late, we might have one
13 collection strategy for you. The phone
14 call to you may be different than the
15 consumer that we believe is not going to
16 pay us at all. So we employ different
17 strategies based upon the behavior that
18 you've exhibited over time.

19 The last thing I'd like to
20 mention today is our ability to increase
21 revenues, and that had to do with the
22 fact that we had to ascertain who was
23 inappropriately taking gas, stealing gas.
24 We also had to identify what meters
25 weren't running appropriately. We've

1 3/20/13 - WHOLE - RES. 130088, etc.
2 employed technology that allows us to
3 determine whether or not there is an
4 unusual level of gas being used at a
5 property or underused at a property. We
6 can distinguish that, and it leads us to
7 identify what properties may have either
8 a meter problem or a theft issue. And in
9 combination with our landlord cooperation
10 program and in combination with some of
11 the basic blocking and tackling that we
12 do, we're able to stop the bleeding. If
13 we have a problem with a customer, we get
14 that gas off and we get them in a
15 position where they have an opportunity
16 to pay us. And we do quite a few things
17 on that score too as far as giving people
18 the ability to pay, payment agreements
19 and things of that nature. Of course,
20 once again, these are mandated by the
21 Public Utility Commission.

22 The last thing we do -- and
23 this is the last thing I'll talk about --
24 is write off reactivation. And we have
25 customers that have not paid us, moved,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 we've written that off, and then they
3 move into another property. We find if
4 it's the same customer, we reactivate
5 that write-off. That delinquency is
6 there and we go after that delinquency.

7 So, I mean, to sum it all up,
8 the most important part of our program is
9 the fact that when we have the ability to
10 move, we move immediately, and we don't
11 allow it to grow. We don't allow it to
12 get worse. And we give people an
13 opportunity to get back in a position
14 where they're paying their bills. We
15 have programs. We do a lot of things to
16 provide education so folks know exactly
17 what programs are out there so they
18 potentially can get either LIHEAP funds
19 or Crisis funds. They can get on our CRP
20 program. So there's a lot of ways where
21 they can get back into a position where
22 they're able to pay their bills.

23 COUNCIL PRESIDENT CLARKE:

24 Thank you, sir.

25 Mr. Butkovitz, I have a

1 3/20/13 - WHOLE - RES. 130088, etc.
2 question. First, I want to thank you for
3 responding very aggressively to our
4 request to look at some of the issues up
5 in the Temple University area with what
6 we believe to be cases where there were a
7 number of construction entities or
8 individuals who were not necessarily
9 licensed and there were some questions
10 about whether or not they were paying the
11 taxes, and there was apparently -- there
12 were allegations of cash payments without
13 recording.

14 Can you talk to me about your
15 efforts in terms of ensuring that there
16 are appropriate collections on those
17 taxes for those type of activities in
18 those neighborhoods?

19 CONTROLLER BUTKOVITZ: This has
20 been an extremely frustrating subject for
21 us for about eight years, because first
22 of all, the Revenue Department is
23 impenetrable. Really it's their
24 responsibility to enforce these and our
25 responsibility to audit. So our first

1 3/20/13 - WHOLE - RES. 130088, etc.
2 instinct is to look at the underlying
3 records and see what's happening, and we
4 constantly run into a wall. They claim
5 that the underlying information is
6 confidential, protected under federal
7 law. So basically we're in the position
8 of taking their word for it. And I don't
9 think that -- we don't think that's
10 satisfactory.

11 We've explored various
12 discussions -- I mean, for example, if
13 the City adopted tax forms that did not
14 allow the incorporation of items from the
15 federal tax forms, we wouldn't run into
16 this issue, but it seems a little bit
17 silly. I think this should be resolved
18 at the highest levels since tax
19 delinquency and non-collection is a major
20 issue.

21 I know Councilman Kenney has
22 done some personal observations and
23 inspections of contractors who show up in
24 front of some of the supply stores with
25 out-of-state and out-of-Philadelphia

1 3/20/13 - WHOLE - RES. 130088, etc.
2 identification buying supplies and then
3 don't have business licenses in
4 Philadelphia. Revenue departments in
5 other cities regularly employ procedures
6 such as checking the Yellow Page ads by
7 businesses that are looking for business
8 in the City, and they compare that with
9 business tax filings. That's not done in
10 Philadelphia.

11 So that instead of being
12 received with welcoming arms with the
13 idea that these are good ideas, which is
14 what I would expect, we are generally met
15 with a defensive posture. I mean, about
16 two years ago, we did a review of sales
17 tax payments. We sent some undercover
18 people to a variety of grocery stores
19 around the City, and we found a high
20 percentage of non-reporting of sales tax
21 revenues. It was like 82 percent
22 non-reporting. So we reported it to the
23 state. We reported it to the City. The
24 Secretary of Revenue of the state sent us
25 a letter saying, This is a great report,

1 3/20/13 - WHOLE - RES. 130088, etc.

2 I commend you for it. The Philadelphia
3 Revenue Department said, How in the world
4 did you find this? You must have somehow
5 illegally accessed confidential IRS data.

6 Well, that attitude needs to
7 change, right?

8 COUNCIL PRESIDENT CLARKE:

9 Okay. Thank you. And, again, thank you
10 for -- although it wasn't your primary
11 responsibility to go out and take a look
12 at what we believe some of the
13 questionable operations up in that
14 particular neighborhood.

15 Mr. Controller, what do you
16 think about the City naming a chief
17 collection officer or a tax czar? I
18 don't know what it will ultimately be
19 referenced as. Do you think that that's
20 a good idea?

21 CONTROLLER BUTKOVITZ: The real
22 question is, is the City going to put its
23 money where its mouth is? Because the
24 truth has been that the City has been
25 stripping away its financial resources

1 3/20/13 - WHOLE - RES. 130088, etc.
2 over the last few years. I mean, we've
3 seen -- you know that there's an outcry
4 when there's a closure of a firehouse.
5 It's less obvious when you take longer to
6 fix a pothole or repair a rec center, and
7 it's much less obvious when you do not
8 replace necessary financial personnel.
9 For years we've had an issue trying to
10 get the City's financial statements where
11 they're supposed to be because they're
12 operating at an unsafe low level of
13 personnel. I think that's also true in
14 the collection and the revenue area.

15 During the Rendell
16 Administration, we had a better record of
17 collections, and they were very, very
18 creative about different kinds of
19 procedures. You recall at one time Nick
20 Panella or Panarella was retained on a
21 contingent fee basis and had an
22 extraordinarily high success rate. Now,
23 he ran into trouble, he ran into legal
24 trouble later in an unrelated issue, but
25 it was a high priority at that time, and

1 3/20/13 - WHOLE - RES. 130088, etc.
2 if you don't have cash to hire employees,
3 then you have the ability to do things
4 like contingent fees.

5 We've been contacted by people
6 who have ideas who believe that the
7 current accounts receivable of tax liens
8 may be marketable on a dollar-for-dollar
9 basis if certain laws are changed that
10 would increase the profit margins for the
11 people that would be interested in
12 purchasing that.

13 So this has really not been a
14 very high priority by the City over the
15 last few years. The City has been
16 struggling to complete its mandated
17 functions within the budget. And you
18 know the adage in business is that you
19 have to spend money to make money.
20 That's really true here.

21 COUNCIL PRESIDENT CLARKE: So
22 getting back to my question --

23 CONTROLLER BUTKOVITZ: Well,
24 the question was whether we should have a
25 chief -- I tend to not be somebody that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 believes that a lot of chiefs make things
3 any better. We have a structure that --
4 we already have a Revenue Department
5 structure. The Department is committed
6 to this and if it is budgeted adequately
7 and it's a real priority, then you don't
8 need new titles.

9 COUNCIL PRESIDENT CLARKE:

10 Okay. Thank you.

11 Mr. White, again, thank you for
12 being here today. Real quickly, during
13 the course of the conversation yesterday,
14 there were references to certain
15 collection methods and talked about
16 selling liens and traditionally -- and,
17 again, you do have the ability to simply
18 cut individuals' gas off or companies'
19 gas off, but there still remains
20 uncollected debt. And there was an issue
21 with respect to Sheriff Sales, and
22 sometimes at Sheriff Sales if the lien is
23 purchased, you and other departments are
24 kind of like left holding the bag,
25 because once you do the Sheriff Sale, it

1 3/20/13 - WHOLE - RES. 130088, etc.
2 kind of, correct me if I'm wrong, kind of
3 supersedes other liens; is that correct?

4 MR. WHITE: Well, it depends
5 where we are in the order, but we would
6 receive -- we could possibly receive
7 recovery of the gas delinquency in that
8 case.

9 COUNCIL PRESIDENT CLARKE: I'm
10 sorry. Say that again.

11 MR. WHITE: I said I believe
12 that in that instance, PGW would be in an
13 order of delinquent recipients, and if
14 there were sufficient funds, we would get
15 paid.

16 COUNCIL PRESIDENT CLARKE:
17 That's contingent on it being sufficient
18 funds. In the case where the real estate
19 lien is X and the City -- well, the
20 Sheriff during the course of the sale is
21 not able to achieve that level, then you
22 would not --

23 MR. WHITE: Potentially we
24 wouldn't get our full payment.

25 COUNCIL PRESIDENT CLARKE: So

1 3/20/13 - WHOLE - RES. 130088, etc.
2 you basically have to -- you essentially
3 have to -- it will be required that the
4 City reaches its maximum lien for
5 relationship to real estate taxes, and
6 any subsequent revenues associated with
7 that sale would then go to the other
8 lienholders.

9 MR. WHITE: Yeah. If I may,
10 Council President, we find that just
11 sending a lien letter has a huge impact
12 on payment, and I couldn't even begin to
13 tell you the significance of having the
14 ability to lien, because you can't see
15 all the folks that pay because they know
16 you can lien, let alone those who pay
17 when they receive a lien letter before
18 you even lien them. And then, of course,
19 once a lien is placed, we receive funding
20 if there's a refinancing. And with rates
21 falling as they have, there's been a lot
22 of refinancing.

23 Now, where it gets a little
24 difficult is, obviously in certain
25 sections of the City and certain areas,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 real estate transactions happen a little
3 bit differently and there may be a change
4 of individuals in a house without
5 necessarily all the paperwork that
6 typically is required when you sell a
7 property, and that's where it gets a
8 little complicated. But certainly the
9 lien tool is something that you
10 eventually receive your payment.

11 COUNCIL PRESIDENT CLARKE: One
12 last question, then I'll call on the
13 members.

14 When we had conversations with
15 the Water Department prior to the
16 implementation of their new rate request
17 increase, they talked about the number of
18 properties in the City that essentially
19 were offline, meaning that they were
20 vacant properties; therefore, no longer
21 utility services, and they talked about
22 the fact that if a significant number of
23 those properties came back online, their
24 ability to reduce the overall rate
25 because you'd have more people paying

1 3/20/13 - WHOLE - RES. 130088, etc.
2 into the system would be advantageous to
3 their ability to do that, to reduce the
4 rate because you have more people paying
5 as it relates to revenue being generated
6 by the company. Would the same thing
7 hold true on gas, the gas company?

8 MR. WHITE: I don't believe so.
9 I started in 1980. We had 520,000
10 customers. We have about 505,000 now.
11 So there has been some churn, but there
12 hasn't been a significant loss in the
13 number of customers over all of those
14 years.

15 So, yes, there are probably
16 different properties that are vacant and
17 there are newer properties that have
18 replaced them, and certainly if vacant
19 properties came back on the natural gas,
20 it would increase our revenue streams,
21 but I can't say that over a period of
22 time, we've had a significant loss in the
23 number of customers. We've had gains
24 that replaced the losses.

25 COUNCIL PRESIDENT CLARKE:

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Okay. Thank you, sir.

3 The Chair recognizes Councilman
4 Jones.

5 COUNCILMAN JONES: Thank you,
6 Mr. President.

7 COUNCIL PRESIDENT CLARKE:
8 Excuse me, Councilman. One second,
9 please.

10 I just want to say, because we
11 weren't able to get everybody in
12 yesterday on the first round, we'll try
13 to keep our questions as condense as
14 possible, because I really hate using
15 this thing.

16 COUNCILMAN JONES: So there's a
17 five-minute restriction for freshmen,
18 seven minutes for --

19 COUNCIL PRESIDENT CLARKE: No,
20 no, no.

21 COUNCILMAN JONES: No? All
22 right.

23 COUNCIL PRESIDENT CLARKE: Part
24 of the challenge is, we have a lot of
25 people here today to testify and I want

1 3/20/13 - WHOLE - RES. 130088, etc.
2 to make sure that everybody gets their
3 questions in on the various rounds so we
4 can get people in, because we had to end
5 it abruptly yesterday. It's a very
6 important issue. This is in no way
7 referencing your questioning, sir. I
8 want to point that out. You just happen
9 to be the first in line.

10 COUNCILMAN JONES: That's all
11 right. I knew it wasn't directed at me.
12 I'm very brief in my comments always.

13 COUNCIL PRESIDENT CLARKE:
14 That's absolutely true.

15 COUNCILMAN JONES: Mr. Kenney.
16 My watch been broke.

17 So thank you, Mr. President,
18 for allowing us to ask questions.

19 Thank you, Mr. Controller, for
20 coming over spending time with us.

21 And, CEO White, thank you for
22 your efforts. As a gas commissioner,
23 I've seen the improvement that has been
24 made on collection and, therefore,
25 ability to provide better service to the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 clients.

3 I guess a couple of things that
4 I would ask of the Controller are, in our
5 collection efforts, whether it's liens on
6 licenses, contracting licenses or wage
7 garnishments, what are the arsenal that
8 the City of Philadelphia legally has to
9 come after some of the folks that are
10 robbing us of our resources, in another
11 way to put it? What do we have on the
12 books? What do you suggest this body can
13 put on the books to encourage collection
14 of outstanding taxes due to us?

15 CONTROLLER BUTKOVITZ: Well, of
16 course, Councilman Henon, Councilman
17 Kenney have been working on changing
18 regulations to improve monitoring of
19 contractors. I mean, right now it's
20 largely a self-regulating situation. If
21 you want to be a good citizen and you
22 want to get a business license, we know
23 to check up on you. If you don't,
24 particularly on construction, demolition
25 projects like that, Philadelphia is

1 3/20/13 - WHOLE - RES. 130088, etc.
2 really the Wild West. We're constantly
3 called out on the sites. Council
4 President talked about some of that
5 activity up in North Philadelphia. A lot
6 of apparent unlicensed and, therefore, no
7 ability for the City to tell whether
8 they're getting their tax revenue.

9 So that would help enormously.
10 It would also help if we were able to
11 review tax returns or the data that
12 businesses submit to the City, because
13 the only thing that we can check right
14 now is whether somebody has a business
15 license. So if somebody reports to us
16 that activity is going on, they have a
17 business license, maybe they report
18 \$50,000 a year, they're doing \$500,000 a
19 year in business, the response of the
20 Revenue Department is, we can't tell you,
21 we can't share that information to you.
22 That problem needs to be resolved,
23 whether there are confidentiality
24 agreements or other --

25 COUNCILMAN JONES: So if I may.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 So the first level of this is data
3 sharing, in other words, that we could
4 interdepartmentally --

5 CONTROLLER BUTKOVITZ: The best
6 resource you have is the tax returns and
7 the reporting that people who are doing
8 business with the City file. And
9 basically that is inaccessible. So we're
10 operating under an honor system where a
11 lot of people are not honorable.

12 COUNCILMAN JONES: So, again,
13 you launched an initiative where people's
14 wages, City workers that had outstanding
15 indebtedness, would be checked. What
16 about -- you also have the ability to not
17 approve contracts for those --

18 CONTROLLER BUTKOVITZ: I wish
19 we did. We don't have the ability to not
20 approve contracts.

21 COUNCILMAN JONES: To hold up
22 payment?

23 CONTROLLER BUTKOVITZ: We
24 review contracts to determine if they are
25 within the Council appropriation and

1 3/20/13 - WHOLE - RES. 130088, etc.
2 whether they're legal and whether all of
3 the legal forms have been satisfied, and
4 then we have to pay them.

5 COUNCILMAN JONES: So even if
6 they owe us, we must process a contract
7 payment?

8 CONTROLLER BUTKOVITZ: No. If
9 they are delinquent on City taxes, we get
10 a hold from the Law Department and we
11 execute that -- we will hold back payment
12 under that directive.

13 COUNCILMAN JONES: So similar
14 to that and liens, do you have any
15 recommendations for us that we should --
16 I got the data sharing issue, but are
17 there any other tools within our arsenal
18 to induce people to pay?

19 CONTROLLER BUTKOVITZ: I think
20 some of the things that were alluded to
21 in Kerkstra's article in the Inquirer
22 such as the ability to cross-reference
23 some of this. So if people are
24 delinquent on real estate taxes, the
25 ability to cancel or hold their

1 3/20/13 - WHOLE - RES. 130088, etc.
2 professional licenses or their business
3 licenses. Some of the legislation the
4 Council President is pursuing in
5 Harrisburg to allow liening on properties
6 that are outside the City of Philadelphia
7 for tax delinquencies that occur inside
8 the City of Philadelphia. I think those
9 are all on the right track.

10 COUNCILMAN JONES: I just
11 wanted to get that out there so that
12 there's some concurrence about possibly
13 Councilman Kenney's recommendations from
14 your office.

15 CEO White, you talked about
16 behavior of customers and their
17 predisposition to pay or not to pay and
18 treating them slightly differently. Can
19 you elaborate on that so that if there
20 are things that we can learn from that as
21 a city and maybe add that to our arsenal
22 of the continuum of collections.

23 MR. WHITE: Certainly. I was
24 mentioning we use something we call
25 risk-based collections, and what that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 indicates to us, we score every customer
3 and we have a risk score as to what their
4 propensity to pay us and when, and we
5 determine from their back history -- from
6 their history, I should say, that say
7 Customer A is slow pay, but we're going
8 to get paid. Well, then we won't utilize
9 resources that we don't have to use and
10 spend money that we don't have to spend
11 to address that customer when we may have
12 another customer that has shown
13 historically that they are not going to
14 pay us. If they go more than ten days
15 late, they're probably not going to pay
16 us. And in that instance, we'll approach
17 that differently.

18 Now, how you would apply that
19 to the tax problem that you're dealing
20 with, I'm not certain, but I will say
21 that the historical payment of the gas
22 bill allows us to make a pretty good --
23 is a pretty good indicator as to how
24 you're going to pay your future bills,
25 and that's how we do it. We score it and

1 3/20/13 - WHOLE - RES. 130088, etc.
2 we have a different outbound call for
3 that consumer and we may take different
4 steps. Certainly it's very expensive for
5 us to send a crew out to dig up the
6 street to shut off your gas, but if we
7 determine that you're slow payment,
8 you're going to pay us, your history has
9 always been you're going to pay us, we
10 may not spend that money.

11 COUNCILMAN JONES: One thing
12 that has been brought to my attention --
13 this is my last comment, and this is to
14 both, but more to the Controller -- is
15 that I don't know if we're doing the best
16 job as a city in making options of
17 payment, resources available for payment,
18 known to all citizens.

19 It has recently come to my
20 attention that it often is in the best
21 interest of collection agencies not to
22 let individuals know about prompt pay,
23 and the way that payments are made to
24 principal versus interest versus penalty
25 aren't made clear to them. So it almost

1 3/20/13 - WHOLE - RES. 130088, etc.
2 is incentivizing them to drag things out
3 longer, get more payments out of them.
4 And I'm very concerned about full
5 disclosure of information for all
6 citizens to know what they can take
7 advantage of by way of payment plans.
8 It's something that I would encourage all
9 of us to take a look at.

10 Thank you, Mr. President.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Councilman.

13 The Chair recognizes
14 Councilwoman Brown.

15 COUNCILWOMAN BROWN: Thank you.

16 Given the fact that the two of
17 you live and breathe this issue through
18 your work, are there other municipalities
19 that do a better job than Philadelphia?

20 CONTROLLER BUTKOVITZ: I think
21 every municipality does a better job than
22 Philadelphia. I think that was the
23 point. I thought that was the point --

24 COUNCILWOMAN BROWN: So which
25 one would you look to that we could

1 3/20/13 - WHOLE - RES. 130088, etc.

2 glean --

3 CONTROLLER BUTKOVITZ: I would
4 go back to the Inquirer series. I
5 believe they cited Baltimore and -- I'm
6 trying to remember the other cities that
7 were cited, but basically Philadelphia
8 was linked with Detroit as the two worst
9 cities in the country on this issue.

10 COUNCILWOMAN BROWN: Forgive
11 me?

12 COUNCIL PRESIDENT CLARKE:
13 Point of order?

14 COUNCILMAN JOHNSON: Point of
15 order. I'm sorry, Council President,
16 being out of line. I was just saying in
17 a similarity with Detroit is, Detroit
18 went bankrupt, just for the record so
19 people will know. If we don't get our
20 fiscal house in order, I mean being
21 compared to a city that went bankrupt is
22 not a good thing.

23 COUNCILWOMAN BROWN: Okay.
24 Thank you.

25 COUNCIL PRESIDENT CLARKE: Are

1 3/20/13 - WHOLE - RES. 130088, etc.

2 you done, Councilwoman?

3 COUNCILWOMAN BROWN: Yes, for
4 now.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you.

7 The Chair recognizes Councilman
8 Henon.

9 COUNCILMAN HENON: Thank you,
10 Council President.

11 And Mr. Controller and
12 Mr. White, I appreciate your time today
13 testifying and educating us. I think
14 education is important. As Majority
15 Leader Jones had just indicated, what
16 kind of education are we doing or where
17 do we fall into the litmus test on how
18 good of a job are we doing as a city to
19 educate our citizens on programs and
20 availabilities and opportunities that we
21 have for either prompt payments or
22 delinquency payment plans I think is
23 critical. And so far with the hearing
24 yesterday -- and we're going to find out
25 today -- that that has been consistent on

1 3/20/13 - WHOLE - RES. 130088, etc.
2 where we are, how I believe that it may
3 or may not be in our interest to --
4 people may not be as proactive as others
5 in educating the citizens on what their
6 opportunities are. Because at the end of
7 the day, we want people to be on payment
8 plans or pay in full the delinquencies so
9 we can shift things around so the motor
10 keeps running smooth.

11 Mr. Controller, you had
12 mentioned a few things, and I'm going to
13 ask both of you, but you already have
14 been speaking on it on areas that need to
15 be worked on, but I think it's been
16 consistent that we need to invest in our
17 priority departments. It seems like
18 technology and making that investment in
19 an area that we're going to have a better
20 return on our investment. So if we're
21 going to invest in technology and data
22 collection, I believe -- and I'm not
23 sure, Council President. We have an
24 Office of Property Data. I don't know if
25 that here in the City of Philadelphia --

1 3/20/13 - WHOLE - RES. 130088, etc.

2 I'm not sure other data that goes along
3 with that, if it's just property data,
4 but as Councilwoman Sanchez was stating
5 yesterday, we have the opportunity if
6 we're going to make these investments and
7 prioritize these investments, let's do it
8 right. Let's have a data warehouse that
9 has not just property data but other
10 municipal delinquency data on there. So
11 when we pull up a property, it either has
12 owners' names or the LLCs that everybody
13 hides behind or other kind of shelters
14 where it's hard to collect when somebody
15 has a portfolio of delinquencies. So I
16 think it will be in our best interest to
17 make those smart investments as we're
18 shifting dollars around and making cuts
19 every year.

20 Mr. White, on your early
21 detection and outreach for delinquencies
22 before it actually becomes a delinquency
23 on algorithms or patterns of customers,
24 when they reappear -- first of all, how
25 long does it take before you write them

1 3/20/13 - WHOLE - RES. 130088, etc.
2 off? What's your time period before you
3 write it off as a delinquency on your
4 balance sheets?

5 MR. WHITE: We've altered that
6 over time, and I can't -- I'll have to
7 get back to you on the exact amount of
8 time we're using at the present, but we
9 have so many less customers that have
10 gone to write-off over time that we've
11 been able to change that.

12 If I may add to your earlier
13 comment, though, you have to spend money,
14 but you have to do the cost-benefit
15 analysis to know that you're spending the
16 money and you're going to get the value
17 out of that. And there's none of the
18 programs that PGW implemented that we
19 didn't have the cost justified before the
20 Philadelphia Gas Commission, and we
21 couldn't just, Let's take a shot, let's
22 spend half a million dollars and put this
23 in and see if it works. We had to
24 justify that the revenue stream or the
25 opportunity coming from that would

1 3/20/13 - WHOLE - RES. 130088, etc.
2 justify the expenditure. So I would just
3 encourage you to consider that when
4 you're looking at different programs.

5 COUNCILMAN HENON: Without
6 question, there will need to be a cost
7 analysis on any kind of investment that
8 we make here in the City of Philadelphia
9 on our collections and prioritizing our
10 resources. And it seems like you kept in
11 mind -- like you're going to have 90
12 percent of the people covered with the
13 programs and the investment that you
14 make, and the other ones will be sort of
15 on a case-by-case circumstance or
16 individual basis. So I'm sure -- did
17 that come into play when you were taking
18 a look at the program and patterns and
19 histories, taking a look at the larger
20 base? So the City of Philadelphia, we
21 should be taking a look at the 91, 92, 95
22 percent as opposed to special
23 circumstances where we can keep things on
24 a turnkey type of operation and we don't
25 get different answers from different

1 3/20/13 - WHOLE - RES. 130088, etc.

2 departments on our collections.

3 MR. WHITE: Well, if I
4 understood your question correctly, when
5 we approach it, we basically -- you're
6 going to fall into one bucket or another.
7 At the end of the day, are we collecting
8 a hundred percent? No. We're somewhere
9 between 95 and 97 percent. But
10 historically we were at about 92 to 93
11 percent. And each percentage point to us
12 was about \$9 million to the bottom line.
13 So we don't just dismiss any category.
14 Not saying that you're indicating that,
15 but a delinquent pattern will fall into
16 one category or another, and we will have
17 a strategy for every one of those
18 categories.

19 CONTROLLER BUTKOVITZ: If I may
20 make one specific suggestion. There's
21 one property we've been tracking on
22 Juniper Street for months, which is
23 constantly being listed for Sheriff Sale
24 and then being removed from the Sheriff
25 Sale list by the Law Department. Nobody

1 3/20/13 - WHOLE - RES. 130088, etc.
2 knows why these things come and go off
3 the list. I think the Council could
4 require that there be some specific -- a
5 form filled out and a specific reason why
6 something is being removed from a Sheriff
7 Sale list. You're talking about prime
8 real estate. You're not talking about
9 putting anybody out of their home. It's
10 commercial real estate. They are
11 delinquent. The property can fetch a
12 much higher price than the amount of the
13 delinquency. It's exactly what you're
14 talking about, and these things
15 mysteriously appear on and off the
16 Sheriff Sale list.

17 COUNCILMAN HENON: One last
18 question, Craig, Mr. White. Great job on
19 the success of PGW and the long road that
20 it has come to making it a positive asset
21 here for the City of Philadelphia and its
22 residents.

23 Mr. Controller, I'll be real
24 quick. PGW has the authority, they can
25 shut gas off. What does the City have,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 in your observation, as an audit? What
3 kind of authority do we have? Because I
4 know a few Councilmembers, including
5 myself, have been kind of a little
6 confused on tax delinquencies and the
7 ability to get a benefit from the City,
8 whether it's a housing inspection
9 license, whether it's issuance of other
10 types of licenses within the City,
11 abatements, approvals, zonings and so
12 forth.

13 Is there, in your observation,
14 any authority that the City has that
15 would prevent somebody to receive a
16 benefit from the City and what it has to
17 offer being tax delinquent?

18 CONTROLLER BUTKOVITZ: For the
19 most part, City licenses are not
20 contingent on tax delinquency. I mean,
21 we have that in state law. I think if
22 you're behind in your child support, your
23 license as a lawyer, your professional
24 licenses, can be cancelled for that. We
25 don't have that in the City.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 And the second point I would
3 make is, I think Philadelphia Gas Works
4 has established a tough reputation. I
5 think what Mr. White was saying is people
6 know that if you get behind on your gas
7 bill, you're going to be in an automated
8 system that there's going to be an
9 escalating series of sanctions that are
10 in fact going to happen. In
11 Philadelphia, it is very discretionary
12 and it varies in terms of who enforcement
13 action is taken against and who it isn't,
14 and, therefore, there is a lot of belief
15 that we can carry these things a long
16 while before we have to take it seriously
17 if you're a tax debtor in Philadelphia.

18 COUNCILMAN HENON: Well, we
19 need to change behavior, and I think L&I
20 has been doing a much better job
21 coordinating at least with several
22 offices that I'm aware of at
23 cross-checking data. But we do need to
24 change behavior and send that same
25 message as the gas workers have.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Thank you. I have no further
3 questions.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilman.

6 The Chair recognizes Councilman
7 Kenney.

8 COUNCILMAN KENNEY: Thank you,
9 Mr. President. Sorry I couldn't stay
10 yesterday, because I said this yesterday,
11 but the line of questioners were just too
12 long and I had an appointment I had to be
13 at. But I was listening to the testimony
14 downstairs this morning from the
15 Controller specifically relative to this
16 appalling lack of cooperation within the
17 Revenue Department. I mean, I've sat
18 with the Revenue Commissioner in my
19 office with Rob Dubow, and he told me
20 everything is fine, nothing needs to be
21 changed, everything is running smooth.

22 One of the biggest problems we
23 face in collections is the use of
24 companies, construction companies in
25 particular, and other types of industries

1 3/20/13 - WHOLE - RES. 130088, etc.
2 in the use of 1099's making everybody a
3 subcontractor. They do it in the nail
4 salon industry where you have 22
5 positions and the people are working all
6 day long and they're doing nails and
7 they're doing feet and they're doing
8 other things, and at the end of the year
9 they get a 1099 form. They're
10 responsible for paying their taxes. It's
11 impossible to follow those people around.

12 The other issue is attitude.
13 If you can't -- if the Controller or some
14 other agency can't get a copy of the tax
15 form, I mean, how are we supposed to
16 cooperate with each other? L&I doesn't
17 talk to Revenue. Revenue doesn't talk to
18 L&I. The Controller can't get
19 information he's looking for. And this
20 whole attitude of cooperation that you're
21 seeing now is all a result of AVI. If it
22 weren't for AVI and setting a tax rate,
23 we'd be in the same situation we've been
24 in for years. So unless people start in
25 the government because we can -- and I

1 3/20/13 - WHOLE - RES. 130088, etc.
2 admire all the bills that have come forth
3 and the time put into these hearings, and
4 we could come up with a whole list of
5 things to change, but unless they're
6 going to implement them, it's never going
7 to happen.

8 The attitude -- the taxing
9 authority that you refuse not to -- that
10 you always pay is the IRS. The IRS,
11 nobody plays with them, because you know
12 what's going to happen. Everybody plays
13 with us. Even if you go into the suburbs
14 and you try to set up a roofing kettle or
15 a construction operation, they're on you.
16 They're on you. Where's your licenses?
17 If you don't have them, they'll take your
18 truck, they'll take your tools, they'll
19 lock you up if they have to.

20 Here it's just like, you know,
21 go to Home Depot any morning at 6 o'clock
22 in the morning and see all the unpaid
23 taxes that are flowing through earnings
24 earned in Philadelphia that are flowing
25 out of the City and out to the suburbs or

1 3/20/13 - WHOLE - RES. 130088, etc.

2 New Jersey and we don't get a finger on
3 them, and no one seems to care.

4 So, I mean, the Controller's
5 work in North Philly, I was banging
6 around North Philly this last number of
7 months and people putting roofs on a
8 house at 2 o'clock in the morning with a
9 blowtorch. There's no one to stop them,
10 and no one seems to care to stop them.

11 So, I mean, I admire all this
12 effort and I hope we come up with a whole
13 list of things that we need to implement,
14 but unless there is a will in the Revenue
15 Department or in the Administration to do
16 anything differently, we're going to be
17 in the same boat we're in and we're going
18 to be talking about raising or setting a
19 millage rate, a tax rate, based on money
20 that we're not collecting in every sector
21 of the economy. So we're asking
22 residential homeowners to pay more real
23 estate taxes because we can't collect not
24 only the delinquent real estate taxes but
25 the money that's flowing out of the City

1 3/20/13 - WHOLE - RES. 130088, etc.

2 every day and not being accounted for.

3 So, I mean, I admire the

4 Controller's commitment and I admire his

5 people's work, but without cooperation,

6 it's crazy. And I don't understand why

7 they don't have a motivation to share

8 information. I really don't. I mean,

9 have they said anything to you why you

10 can't get a tax return?

11 CONTROLLER BUTKOVITZ: They're

12 defensive. It really is shocking to me,

13 because you'd think that they're in the

14 profession of being angry and upset and

15 wanting to collect a hundred percent of

16 what's out there.

17 COUNCILMAN KENNEY: Give me my

18 money.

19 CONTROLLER BUTKOVITZ: Yeah.

20 COUNCILMAN KENNEY: That

21 attitude doesn't exist.

22 CONTROLLER BUTKOVITZ: No, it

23 does not.

24 COUNCILMAN KENNEY: Up until

25 recently, because now we're talking about

1 3/20/13 - WHOLE - RES. 130088, etc.
2 a 1.32 millage rate, and that's when it
3 starts to exist.

4 But I just think we need to
5 have a different attitude, and I don't
6 know how you change attitudes about tax
7 collection. I really don't.

8 The issue of tax liens that you
9 had alluded to, Alan, earlier, what's the
10 value of a tax lien? Where does the
11 value exist? We lien the property. We
12 don't have the money, so we lien the
13 property for non-payment of taxes.

14 CONTROLLER BUTKOVITZ: It means
15 you come ahead of other creditors who may
16 bring judgments against that person.

17 COUNCILMAN KENNEY: And what
18 you're saying is the value of that
19 potential dollar-for-dollar sale based in
20 the position --

21 CONTROLLER BUTKOVITZ: To the
22 third party?

23 COUNCILMAN KENNEY: Yes.

24 CONTROLLER BUTKOVITZ: I mean,
25 I've had a contact that says whatever our

1 3/20/13 - WHOLE - RES. 130088, etc.
2 total amount of tax liens are, \$500, \$600
3 million, they said that they believe it
4 is purchasable for that face amount.
5 They're going to outline that proposal to
6 us in the next few weeks, but basically
7 they're talking about a model in New
8 Jersey where New Jersey allows, at an 18
9 percent interest rate, allows third
10 parties to pay taxes for people, and if
11 the people catch up, if the people want
12 to redeem it, they have to pay 18 percent
13 interest to the third party. After three
14 years of non-payment of taxes, they would
15 be subject to eviction from the property.
16 So there is -- potentially this money is
17 not lost and worthless.

18 COUNCILMAN KENNEY: Because
19 yesterday's testimony of, I think, the
20 Deputy Revenue Commissioner went through
21 the whole litany of what they need to do
22 in order to get to a point of actually
23 liening the property - notification,
24 municipal court, paying fees, all that
25 stuff. Would you argue that the

1 3/20/13 - WHOLE - RES. 130088, etc.

2 avoidance of all those fees and all that
3 time would be avoided if in fact we sold
4 them dollar for dollar to a third party?

5 CONTROLLER BUTKOVITZ: Well, I
6 think we're talking about two different
7 things. I'm talking about the accrued
8 liens that are already in existence.

9 COUNCILMAN KENNEY: My
10 understanding is, there's annualized
11 delinquency that happens -- it's not
12 necessarily old debt.

13 CONTROLLER BUTKOVITZ: So you
14 have to add the new lien.

15 COUNCILMAN KENNEY: It's new
16 debt. So there's a flow of new lienable
17 property every year.

18 CONTROLLER BUTKOVITZ: Yes.

19 COUNCILMAN KENNEY: So we enter
20 into a process where we send letters,
21 maybe we make -- I don't know whether
22 they make calls or we go to Municipal
23 Court and we file this, we file that, and
24 every one of those steps has a cost
25 associated with them.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 CONTROLLER BUTKOVITZ: Yes.

3 COUNCILMAN KENNEY: So the sale
4 of that directly to a third party, who
5 would do all the things we're doing to
6 collect the money, we're not doing. We
7 just get the money up front.

8 CONTROLLER BUTKOVITZ: Right.

9 COUNCILMAN KENNEY: So is that
10 something you would recommend us looking
11 at?

12 CONTROLLER BUTKOVITZ: I think
13 you have to determine the impact on the
14 different classes of people that are
15 going to be affected for that. It's one
16 thing where we have these accrued
17 liabilities over 10 or 20 years, these
18 large amounts. Now, there may be people
19 who have a financial problem in one year
20 and they get delinquent in their taxes,
21 and I think as Councilman Jones alluded
22 to, once you sell them over to the
23 private market, they're facing very harsh
24 consequences and nobody to talk to.

25 COUNCILMAN KENNEY: But I'm

1 3/20/13 - WHOLE - RES. 130088, etc.
2 sure there are -- and we have ways of
3 protecting people in peculiar
4 circumstances.

5 CONTROLLER BUTKOVITZ: Right.

6 COUNCILMAN KENNEY: But
7 overall, I mean, do you think everyone
8 that doesn't pay --

9 CONTROLLER BUTKOVITZ: If
10 people are protected --

11 COUNCILMAN KENNEY: Do you
12 think that everybody that doesn't pay
13 their real estate taxes are in a peculiar
14 situation or there are people that just
15 don't pay?

16 CONTROLLER BUTKOVITZ: Right,
17 but that's why I have some reservations
18 about it on a brand-new-this-year-
19 delinquents-for-the-first-time basis. I
20 don't have those same reservations for
21 people who have had a lengthy history of
22 not paying their taxes.

23 COUNCILMAN KENNEY: How about
24 property owners who are out of town or
25 out-of-town property owners who own

1 3/20/13 - WHOLE - RES. 130088, etc.
2 multiple properties that they're
3 delinquent on, maybe they're rental
4 units.

5 CONTROLLER BUTKOVITZ: The only
6 people I think really merit special
7 consideration are occupants who are
8 having financial difficulty making ends
9 meet.

10 COUNCILMAN KENNEY: Right. But
11 do you know or -- we could find out, but
12 do you know sitting there now what the
13 percentage of properties have one owner,
14 multiple properties --

15 CONTROLLER BUTKOVITZ: No.

16 COUNCILMAN KENNEY: -- and what
17 condition their tax situation is in?

18 CONTROLLER BUTKOVITZ: No, I
19 don't.

20 COUNCILMAN KENNEY: All right.
21 Because, again -- but thank you for your
22 work.

23 I mean, you guys have done a
24 great job at PGW. Why they're even
25 looking to potentially sell it is a

1 3/20/13 - WHOLE - RES. 130088, etc.
2 mystery to me, but the way it's been
3 running lately and for the last number of
4 years is, it's been an art form. So we
5 appreciate all the work you're doing
6 there.

7 And, again, Mr. President, I
8 think attitude change about the ferocious
9 way you go after your money I think is
10 what's needed, along with some other
11 changes.

12 So thank you both for your
13 testimony.

14 COUNCIL PRESIDENT CLARKE:
15 Thank you, Councilman. I agree that the
16 sense of urgency on this issue was
17 created as a result of AVI, and we just
18 have to have a sense of urgency as it
19 relates to coming up with a real
20 solution, implementable solution. So I
21 agree with you a hundred percent.

22 The Chair recognizes
23 Councilwoman Sanchez.

24 COUNCILWOMAN SANCHEZ: Thank
25 you, Mr. President.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 I wanted to take advantage
3 since we have these two guests with us to
4 talk a little bit around the water
5 delinquency, and we didn't get into it,
6 but Controller Butkovitz talks about the
7 132 million in delinquent accounts for
8 water and sewer charges. Is that number
9 that you are getting, is that just
10 principal or is that interest and penalty
11 also?

12 CONTROLLER BUTKOVITZ: I think
13 that's the accrued amount of everything
14 at this stage. It's been a growing
15 number.

16 COUNCILWOMAN SANCHEZ: Okay. I
17 just wanted to know if that was
18 principal.

19 I wanted to take advantage of
20 Mr. White and the great work that PGW has
21 done. Yesterday I mentioned it in
22 passing to Commissioner Richardson that I
23 didn't want to get into the conversation
24 because I have my issues with the water
25 debt situation.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Mr. White, you have -- because
3 one of the issues with collections
4 Revenue brings up is when we have the
5 moratorium. But you are also subject to
6 the moratorium.

7 MR. WHITE: That's correct.
8 December 1 to March 31st.

9 COUNCILWOMAN SANCHEZ: Right.
10 And you're still able to collect.
11 Because one of the requests from Revenue
12 has been around do we lift the water
13 moratorium that coincides with yours,
14 because people need water for their
15 heater, but this hasn't been an
16 impediment for you to increase your
17 collections. So what are you doing
18 differently than we do with our water?

19 MR. WHITE: Well, certainly if
20 we have a customer that stops paying us
21 on December 1 and doesn't pay a single
22 bill, we are being impacted by the
23 moratorium. What we're doing differently
24 now than what we've done in the past is,
25 we are teed up for the very first day

1 3/20/13 - WHOLE - RES. 130088, etc.
2 that we can do a shut-off, we will be
3 ready with the maximum number of
4 shut-offs that our workforce can handle.
5 So we are --

6 COUNCILWOMAN SANCHEZ: Is that
7 April 15th?

8 MR. WHITE: I think it's April
9 15th, subject to check.

10 And the fact of the matter is,
11 we will put out in advance of that all
12 the appropriate PUC required notices and,
13 therefore, we've met all the legal
14 requirements, and on that very day we can
15 take certain steps. And we've employed
16 our risk-based collections, so we know
17 what customers we want to shut off
18 because we believe we will get the most
19 bang for our buck.

20 COUNCILWOMAN SANCHEZ: When you
21 sent out those notices -- I know one of
22 the areas that I'm impressed around the
23 work that you do and PECO has done is
24 around LIHEAP, making sure people are
25 applying.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 MR. WHITE: Absolutely.

3 COUNCILWOMAN SANCHEZ: I have
4 been told that there's still a lot of
5 money on the table that people have not
6 applied for this year. So when we talk
7 about folks, there's still a lot of
8 people that have not applied.

9 So on that, do you find that
10 those notices required by the PUC, is the
11 rate of return in terms of people coming
12 in, does that generate a lot of folks
13 coming in or are you seeing an increased
14 number on April 15th? I mean, has that
15 process minimized the rate of shut-offs
16 you have to do on April 15th?

17 MR. WHITE: Well, typically
18 because of the winter moratorium, we have
19 more work than we can handle through the
20 month of April, and by the time we get
21 closer to the end of the summer, we catch
22 up on that work. And the fact that we no
23 longer look at it from the standpoint
24 that the largest -- if you have the
25 largest delinquency, that may not be the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 first customer we go out and shut off,
3 because we may have risk -- we may have
4 determined that the risk of non-payment
5 is very low on that customer even though
6 they have a large bill through the winter
7 period, whereas a customer that has a
8 much smaller bill, they've indicated in
9 the past that they're not going to pay
10 us, so we may take different steps.

11 But the fact of the matter is,
12 coming out of that winter moratorium, we
13 have more delinquency than we can handle
14 for quite a while.

15 COUNCILWOMAN SANCHEZ: Are you
16 finding -- one of the things that was
17 impressive to me last year I believe was
18 PECO wrote off a lot of money from their
19 books. They went back and if people got
20 on payment plans and were on a payment
21 plan, LIHEAP, they wrote off old, old
22 debt. The City, through amnesty, we've
23 done reductions of penalties and
24 interest, and now we are not posting old
25 debt, but do you think as a practice for

1 3/20/13 - WHOLE - RES. 130088, etc.
2 collection, we should consider if people
3 come on payment plan, come online,
4 reducing some of the principal debt,
5 especially on that old, old debt as a
6 practice? And I want the Controller to
7 also respond to that.

8 MR. WHITE: We have two
9 different situations. If a customer is
10 on our customer responsibility program
11 and they have existing debt, that becomes
12 what we call pre-program arrearage, and
13 if they continue to pay their bill for 24
14 months, they actually -- that entire
15 arrearage is forgiven. So it takes a
16 significant amount of months of on-time
17 payments for that to be forgiven.

18 With respect to all other
19 customers --

20 COUNCILWOMAN SANCHEZ: What's
21 the percentage of that? I mean, what's
22 the number? Can you give me an example?
23 Because I think it's very important if
24 we're talking about increasing collection
25 strategies that all this be on the table,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 because as great as amnesty is, the fact
3 of the matter is some homeowners are
4 going to need a level of forgiveness, and
5 as a city, we haven't entertained that
6 yet, so...

7 MR. WHITE: Well, we have
8 70,000 customers, 70,000 to 80,000
9 customers on our customer responsibility
10 program at any one time, and we have
11 about 400,000 total residential heating
12 customers. So it's a fairly large
13 percentage, about one-fifth. And because
14 folks are on a program that they can
15 afford to pay, they have a much greater
16 propensity to be able to pay those 24
17 payments and, in fact, have that -- get a
18 fresh start. But, of course, for those
19 customers who are not on the CRP program,
20 if their delinquency is, say, written off
21 after a period of time and, as I
22 mentioned earlier, they then become a gas
23 customer again, we will reactivate that
24 write-off and we will attach that to the
25 account and we will make them responsible

1 3/20/13 - WHOLE - RES. 130088, etc.

2 for that amount.

3 COUNCILWOMAN SANCHEZ:

4 Controller, what do you think about
5 something like that, where people,
6 particularly as we're looking to keep
7 people in their homes, some sort of
8 situation like PGW? Again, we use it a
9 lot. I have a lot of my constituents in
10 that, where 24 months of good faith, we
11 consider writing off some of the
12 principal debt.

13 CONTROLLER BUTKOVITZ: I agree
14 with the program outlined by Mr. White,
15 but there has to be some indication of
16 good faith by the utility users or else
17 everybody is going to figure this is a
18 new game, that if you just don't pay your
19 bill, you forget about it, we'll forget
20 about it too, and that's too often been
21 the history in Philadelphia.

22 COUNCILWOMAN SANCHEZ: So 24
23 months, which is what they use, is that a
24 good barometer for you?

25 CONTROLLER BUTKOVITZ: I have a

1 3/20/13 - WHOLE - RES. 130088, etc.
2 lot of confidence in everything PGW
3 management has done over about the last
4 15 years, so it's working there. We've
5 recommended them as a model for many of
6 the City's collection problems.

7 COUNCILWOMAN SANCHEZ: Thank
8 you.

9 I think that this is an area as
10 we're talking about folks in poverty and
11 low-income folks that we need to consider
12 as a Council, because amnesty for
13 commercial and some of those things work,
14 but for owner-occupied homes, this may be
15 a vehicle for us to use to get folks a
16 fresh start by implementing something
17 like that. And as a municipal
18 government, we haven't looked at it, and
19 it's one that because of the track record
20 PGW has had and some of the work that
21 PECO has done, I think we are going to
22 need to do if in fact we want to wipe off
23 bad debt from our books at one point.
24 And I know in some cases we borrow off of
25 our bad debt, but I definitely think that

1 3/20/13 - WHOLE - RES. 130088, etc.

2 this is something we need to look at. I
3 know the CLS folks are already thinking
4 about all the clients they're going to
5 bring to us.

6 I just think it's time, and it
7 has to be part of the strategy. So thank
8 you very much, and thank you, PGW, for
9 sharing your experience with us.

10 Thank you.

11 MR. WHITE: Thank you.

12 COUNCIL PRESIDENT CLARKE:

13 Thank you, Councilwoman.

14 The Chair recognizes Councilman
15 Squilla.

16 COUNCILMAN SQUILLA: Thank you,
17 Mr. President.

18 My question I guess is, we see
19 that there is a collection rate and a
20 discrepancy, whether it's 85 or 91,
21 whatever the rate is, for real estate
22 taxes, and Controller Butkovitz, every
23 percentage point -- I don't know if you
24 did an analysis or would you know. Every
25 percentage point that we increase it from

1 3/20/13 - WHOLE - RES. 130088, etc.

2 like 85 to 86 or from 91 to 92, do we
3 know what that equates to?

4 CONTROLLER BUTKOVITZ: It's
5 about \$12 million.

6 COUNCILMAN SQUILLA: Twelve
7 million dollars?

8 CONTROLLER BUTKOVITZ: Right.

9 COUNCILMAN SQUILLA: So if we
10 could do -- if it was 85 to 95 percent,
11 that's \$120 million.

12 CONTROLLER BUTKOVITZ: Right.

13 COUNCILMAN SQUILLA: And that's
14 just basically on current taxes that
15 they're collecting.

16 CONTROLLER BUTKOVITZ: Yes.

17 COUNCILMAN SQUILLA: So
18 obviously if we even do a better job of
19 doing the collections, if we include that
20 into our budget process, that could in
21 turn help us lower our rate.

22 CONTROLLER BUTKOVITZ: Right.
23 Of course, the Inquirer series pointed
24 out that in almost all cities, the actual
25 collection rate was about 99 percent in

1 3/20/13 - WHOLE - RES. 130088, etc.

2 one year.

3 COUNCILMAN SQUILLA: Right.

4 Well, that's our point. I think that's
5 why we really wanted to have these
6 hearings too, to find out why we were so
7 low and then what we can do to improve
8 that, and also because we do see an
9 analysis of collection by the
10 Administration, what they actually put
11 into the budget. They perceived last
12 year, I think it was, 87 percent. I
13 don't actually remember the percentage.
14 But knowing that we could collect more
15 would be a way to actually add more money
16 to our revenue stream and, therefore,
17 help us to lower the amount of millage
18 rate that we actually need to meet that
19 goal.

20 CONTROLLER BUTKOVITZ: Well,
21 the only difficulty with that is that
22 until there's an experience of having
23 been successful at that rate, there's a
24 problem with projecting it, because 1991
25 Philadelphia essentially went bankrupt

1 3/20/13 - WHOLE - RES. 130088, etc.
2 and we had PICA as the state oversight
3 board, and if we have to err in any
4 direction, the philosophy has been to be
5 conservative, to be cautious, and to
6 underestimate revenues and overestimate
7 expenses, because you don't want to be in
8 a hole where you ran out of money at the
9 end of the day, whereas if you have a
10 surplus, Council and the Mayor have been
11 very creative at understanding what to do
12 with surpluses.

13 COUNCILMAN SQUILLA: Well, from
14 what you understand from last year, did
15 we have a surplus?

16 CONTROLLER BUTKOVITZ: We have
17 a surplus in our -- yes, we do.

18 COUNCILMAN SQUILLA: Do you
19 have an idea of what that amount was?

20 CONTROLLER BUTKOVITZ: No. No.

21 COUNCILMAN SQUILLA: Also, when
22 we talk about delinquencies, we hear of a
23 strategy to change that and that the
24 Revenue Department is going different
25 ways and also giving some more work out

1 3/20/13 - WHOLE - RES. 130088, etc.
2 to outside firms. Do you know like if
3 best practices throughout the United
4 States of whether they do it in-house or
5 outsource the collection of real estate
6 taxes?

7 CONTROLLER BUTKOVITZ: I don't
8 know.

9 COUNCILMAN SQUILLA: You don't
10 know?

11 CONTROLLER BUTKOVITZ: No.

12 COUNCILMAN SQUILLA: Do you
13 have an idea?

14 MR. WHITE: Councilman, the
15 only thing I can tell you is our
16 experience. In 2001, we weren't billing
17 50,000 customers and we were probably
18 billing the over 450,000 maybe correctly
19 half the time. And the fact of the
20 matter was that people have a day job, so
21 we did bring in some support. We used a
22 firm to work with our people, and we set
23 up a separate unit within the
24 organization where we actually plucked
25 key personnel, put them into that unit,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 worked with a consulting firm. We didn't
3 turn it around overnight. It took us
4 five, six years of diligent work. We had
5 a burning debt just like you're -- I
6 mean, what I'm hearing today that you
7 have, but we didn't turn it around
8 overnight. Our percentage increased over
9 time as we implemented one program after
10 another. But we had to prioritize what
11 we thought was the most important step
12 first, and we went after that one and
13 completed that. While all hell was
14 breaking loose around us, we were working
15 on this one diligently, getting it out of
16 the way, ticking it off, and going to the
17 next one.

18 So it wasn't something we did
19 overnight and, like I said, we needed the
20 help of an outside firm, because your
21 people have responsibilities outside of
22 just the mere fact that you have a huge
23 problem that you have to turn around.

24 COUNCILMAN SQUILLA: When you
25 did that, did you have a capital

1 3/20/13 - WHOLE - RES. 130088, etc.

2 investment?

3 MR. WHITE: We did both. We
4 were spending operating dollars and
5 capital dollars. We put systems in to
6 enable us, in certain instances, to
7 enable us to do things that heretofore we
8 couldn't do. We had to change our phone
9 system. We had to upgrade our billing
10 system. So we had a number of large
11 computer-related capital investments, but
12 for the most part, there was a lot of
13 process and procedure that we had to nail
14 down. And you made reference to best
15 practices. That's absolutely key. You
16 have to know what the best people are
17 doing in that area, and as Mr. Butkovitz
18 said, as reported in the newspaper, there
19 were other cities that are doing it very
20 well. I guess I would relate that to the
21 gas situation. We looked at utilities
22 that were doing it well.

23 COUNCILMAN SQUILLA: And do you
24 have a rate of return? In other words,
25 you spent so much money looking to

1 3/20/13 - WHOLE - RES. 130088, etc.
2 collect either delinquent taxes or
3 current taxes. Do you have like a
4 dollar-for-dollar approach where if you
5 spent \$10 million, you realize that you
6 gain \$10 million back?

7 MR. WHITE: We actually have
8 the oversight of the Philadelphia Gas
9 Commission, and the Gas Commission
10 ensures that we have to have an adequate
11 return. Many of our projects had rates
12 of returns in the 30 percent range, which
13 is huge on an investment. Anything that
14 was a closer call, if the rate of return
15 was rather slim, we would err to the
16 conservative side, and if the
17 determination was, well, let's do the
18 other ones first before we attack this
19 one, that's what we did. So we took on
20 the items that had the greatest
21 opportunity first.

22 COUNCILMAN SQUILLA: And do you
23 have an actual number from what your
24 investment was to what you were able to
25 collect, or no?

1 3/20/13 - WHOLE - RES. 130088, etc.

2 MR. WHITE: I can't tell you
3 what that is, but I will tell you that
4 our investment with the outside
5 consulting firm probably was in the \$20
6 million range. But just to give you an
7 idea, after Katrina and Rita, we were
8 collecting at 86 cents on the dollar, and
9 now we're collecting at 96. Every
10 percentage point is worth about 9
11 million, 8, 9 million for us. So you can
12 see we gained our investment back very
13 quickly.

14 COUNCILMAN SQUILLA: Okay.
15 Thank you very much.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you, Councilman.

18 Councilman Kenney.

19 COUNCILMAN KENNEY: Just a
20 point of information on Councilman
21 Squilla's question relative to the rate
22 of return on the investment in
23 technology. Yesterday the Revenue
24 Commissioner testified that over five
25 years, they were going to earn \$240

1 3/20/13 - WHOLE - RES. 130088, etc.
2 million. So divide that by five and
3 that's what should be in the budget in
4 revenue collection. It seems to me if
5 you're going to testify that that's what
6 we're going to raise, then you should at
7 least account for it in your revenue
8 projections in your upcoming budget and
9 five-year plan. So that was his
10 testimony, not ours.

11 Thank you.

12 COUNCIL PRESIDENT CLARKE:

13 You're correct, Councilman. That would
14 always help, particularly in this room.

15 Gentlemen, I want to thank you
16 very much for your testimony. You've
17 been very helpful, and I anticipate that
18 we will see you again very shortly.

19 MR. WHITE: Thank you.

20 COUNCIL PRESIDENT CLARKE:

21 Right now I'd like to call Matt Stanski
22 from the School District of Philadelphia,
23 Andy Toy, and Rick Sauer.

24 (Witnesses approached witness
25 table.)

1 3/20/13 - WHOLE - RES. 130088, etc.

2 COUNCILMAN GREENLEE: Good
3 afternoon.

4 Mr. Stanski, I think your name
5 was called first. So you'd like to
6 identify yourself for the record and
7 proceed, please. And I think you heard
8 what the Council President said. If you
9 have written testimony, it will be made
10 part of the record, and if you can
11 summarize, we'd appreciate it.

12 MR. STANSKI: Absolutely.
13 Matthew Stanski, Chief Financial Officer
14 for the School District of Philadelphia.

15 Obviously delinquent tax is not
16 an issue that has occurred overnight.
17 Current delinquent taxes owed to the City
18 that help fund the School District are
19 currently at \$184 million, and obviously
20 it's no secret that the District right
21 now is struggling financially. We had to
22 obviously borrow \$300 million this year
23 just to meet our current obligations.

24 The District relies almost for
25 all of its budgeting purposes on State

1 3/20/13 - WHOLE - RES. 130088, etc.
2 and City revenues, and of the City
3 revenues, 91 percent are real estate and
4 use and occupancy taxes, which equate to
5 \$780 million. So it's obviously key for
6 us to collect as many of those taxes as
7 possible.

8 We are encouraged by the
9 Mayor's announcement of his new
10 collection strategy, but we also believe
11 that that collection strategy must be
12 implemented with fidelity. Right now we
13 are meeting with the Revenue Department
14 monthly to discuss our current
15 outstanding delinquent real estate, use
16 and occupancy, liquor taxes, and school
17 income taxes to monitor the progress of
18 getting those balances down, but we also
19 believe that the effort is twofold. One
20 is, one, collecting on the current
21 delinquent taxes, but then, two, working
22 to increase the rate of current taxes
23 that are due, so increasing the
24 collection rate.

25 We believe that looking at this

1 3/20/13 - WHOLE - RES. 130088, etc.
2 from two directions and with the
3 strategies that have been outlined by the
4 Mayor in his new collection strategy, we
5 are hopeful that we can start collecting
6 on some of this money. And, again, this
7 will be a small piece to help the
8 District regain financial sustainability
9 moving forward.

10 And I would like to thank you
11 for the opportunity to speak with you
12 today and be happy to answer any
13 questions.

14 COUNCILMAN GREENLEE: Thank
15 you. We'll hear from all three and then
16 we'll have whatever questions.

17 Andy. Mr. Toy, sir. How are
18 you?

19 MR. TOY: Good afternoon.
20 Happy spring, everybody. I'm Andy Toy or
21 Andrew Toy and I'm here representing
22 basically myself as a concerned citizen,
23 somebody who worked in the Commerce
24 Department of the City about over 15
25 years, and over that time, had a lot of

1 3/20/13 - WHOLE - RES. 130088, etc.
2 personal experience with vacant and
3 delinquent properties and how they really
4 impact neighborhoods, both in community
5 development and in terms of small
6 businesses trying to expand or fix
7 properties next door.

8 What we often found was that
9 when we started investigating properties,
10 they were very far tax delinquent, and
11 there were a couple ways to go, either
12 Sheriff Sale or condemnation or try to
13 find the owner. Many times owners were
14 not to be found. Other times when they
15 found out that their property was
16 available or the neighbor was interested,
17 they would try to charge an extortionary
18 price for that property. So we ended up
19 many times pushing properties through the
20 Sheriff Sale system, but in order to do
21 that, because the system was so slow, it
22 took the owner -- the business person
23 \$800 as a deposit, and that process could
24 take one or maybe two years or more, and
25 what really the outcome is is that it

1 3/20/13 - WHOLE - RES. 130088, etc.
2 disincentivizes people from actually
3 pushing properties through that process
4 that the City should have been doing in
5 the first place.

6 So because we were on the front
7 lines of this battle, I worked with the
8 Law Department, folks in the Law
9 Department of the City, and we pushed
10 through in 1992 a state law that required
11 a couple of things. And the person
12 unfortunately, Andy Bralow, which those
13 of who you were around back then, in the
14 Law Department passed away shortly after
15 the law was passed, but we worked really
16 hard to get that thing passed, and the
17 momentum was lost in particular in the
18 Law Department.

19 There were two major -- a
20 number of major facets to the law. One
21 was that it eliminated the right of
22 redemption for any properties that were
23 either unoccupied or not occupied by
24 residences as a residential property. So
25 those people could not come back and

1 3/20/13 - WHOLE - RES. 130088, etc.
2 claim their property nine months to 11
3 months later when somebody had been
4 fixing up their property just because
5 they had owned it and not paid their
6 taxes.

7 And the other component of the
8 law that I think is kind of interesting
9 was the requirement -- two other
10 components. One was the requirement of a
11 registry that required people to register
12 with the City, and if they moved, they'd
13 have to let the City know exactly where
14 they moved to. Otherwise, the City was
15 not responsible for sending them notice
16 that their property -- that their taxes
17 were due or their property was coming up
18 for sale. Because what would happen
19 sometimes, people would claim that they
20 never got notice and then the process
21 would have to start all over again, and
22 that was a key way of getting around it
23 for some people.

24 And then the third thing, which
25 was most important, was that the City was

1 3/20/13 - WHOLE - RES. 130088, etc.
2 supposed to, required to -- and in the
3 act, it says "shall" -- institute the
4 Sheriff Sale process after one year of
5 tax delinquency. And obviously that
6 hasn't happened in many years. And these
7 changes, if enacted, would have garnered
8 significant additional tax revenues up to
9 now, but, more importantly, I think it
10 would put property owners on notice to
11 make sure that if they're not paying
12 their share, that something might happen,
13 something will happen.

14 And from a policy standpoint --
15 and I attached a couple things here. One
16 was interesting. From 1993, Governing
17 Magazine actually gave Cleveland, Ohio an
18 award for recapturing urban land. And
19 it's exactly what we're talking about
20 today, 20 years later. It took us 20
21 years to get there, but I think that's a
22 significant step. It's a significant
23 step, and it was right here, and we were
24 talking about it back 20 years ago
25 unfortunately and a couple other pieces

1 3/20/13 - WHOLE - RES. 130088, etc.
2 of information, October 2000, this
3 article or booklet by Frank Alexander,
4 Renewing Public Assets for Community
5 Development, done for LISC in 2000, which
6 talks about bringing properties back
7 online.

8 So we know it can happen in New
9 York and Cleveland as models, and the
10 Cleveland's Mayor at the time said the
11 City that controls its land is going to
12 control its future. We believe that, and
13 I think we all understand that.

14 And the last thing I'll say is,
15 we've seen properties in Philadelphia
16 that have sat vacant for many years, and
17 what happens is that the first year that
18 somebody is tax delinquent, if we push
19 hard, we can often get that person to pay
20 their taxes. By year ten, sometimes
21 those taxes are actually worth more than
22 the property and we lose that
23 opportunity. We lose the opportunity to
24 collect. And then the other thing that
25 happens is, the properties often fall

1 3/20/13 - WHOLE - RES. 130088, etc.
2 down from disrepair over time and lose
3 their values. So we actually lose value
4 there as well.

5 So it's so important for us to
6 move quickly on properties. And over the
7 years, I have personally seen -- and I'll
8 just sum up here -- the Sheriff Sale work
9 for both large and small redevelopments,
10 from the Schmidt site, which I helped to
11 bring to foreclosure, to small side
12 properties, side yards that are now parts
13 of businesses and homes, improving
14 properties, businesses that are hiring
15 more workers, encouraging population
16 growth, and paying those additional
17 taxes. We need to make those up-front
18 investments now, because the payoff is
19 great in the future. And I would say
20 that we should stop redlining those
21 neighborhoods that are lower income,
22 because we know that it's done in Center
23 City Philadelphia. If you don't pay your
24 taxes, your property goes up for Sheriff
25 Sale or the City starts foreclosing on

1 3/20/13 - WHOLE - RES. 130088, etc.
2 you, but it doesn't happen in many
3 neighborhoods in the City, and to me,
4 that's a form of redlining, and I hope
5 that we can, with your leadership -- and
6 thank you, Councilman Henon, for allowing
7 me to come here today -- with your
8 leadership and the Administration's
9 leadership, that we can really make a
10 difference on those and push this process
11 forward.

12 Thanks.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 Mr. Sauer, and then we'll have
16 questions.

17 MR. SAUER: Good afternoon.
18 Thanks for the opportunity to testify.
19 Rick Sauer with the Philadelphia
20 Association of Community Development
21 Corporations.

22 I guess I just wanted to start
23 by applauding Council for taking a close
24 look at the whole issue of property tax
25 delinquency. We know it's a major issue

1 3/20/13 - WHOLE - RES. 130088, etc.
2 impacting the City. And what we want to
3 encourage you to do as you look to fix
4 this problem is to look at it also in the
5 context of fixing the City system for
6 dealing with vacant properties, because
7 we know that vacant, tax-delinquent
8 properties are a big part of this problem
9 and we need an overall solution to help
10 put those back into productive use and on
11 the tax rolls to generate the revenue
12 that we need to provide the City services
13 and fund the School District.

14 Clearly, for decades -- I think
15 this was referenced earlier -- if you
16 haven't paid your taxes, there hasn't
17 been a lot of repercussions or if you
18 haven't taken care of your properties,
19 there haven't been a lot of
20 repercussions, and as a result, we've had
21 a number of properties spiral downward to
22 the point of abandonment and vacancy and
23 tax delinquency, and there hasn't been
24 really a consequence to those owners for
25 letting their properties slide to that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 point. And I think it's always been --
3 already been referenced, the recent
4 PlanPhilly/Inquirer series, but at least
5 11,000 tax-delinquent properties are
6 owned by entities or individuals that
7 don't even live in Philadelphia, so
8 they're not owner-occupied homes. I
9 think maybe it was the overall number of
10 57,000 properties that are tax delinquent
11 are not owner-occupied.

12 So while we know there's real
13 concerns in making sure that low-income
14 homeowners can remain in their homes,
15 there seems to be a need, especially at a
16 time when we're facing dramatic increases
17 in property taxes, to really make a
18 priority to be aggressive in going after
19 absentee landlords and property owners
20 and making sure they're in compliance
21 with paying their taxes.

22 Clearly, blight and tax
23 delinquency go hand in hand, but I think
24 what we've seen -- and not just the
25 current Administration but in the past --

1 3/20/13 - WHOLE - RES. 130088, etc.
2 there's been a policy of only foreclosing
3 on higher-value properties that are tax
4 delinquent when the City believes they
5 can recoup their costs and generate
6 revenue, sort of what Andy Toy was just
7 referring to here. And so while revenue
8 generation may have historically been a
9 key purpose of foreclosure because it was
10 inconceivable that owners are going to
11 walk away from their properties that were
12 worth something, I think we're in a
13 different situation these days, and we
14 need to really think about how tax
15 foreclosure can be an opportunity to get
16 vacant properties back into the hands of
17 responsible owners who are going to get
18 them back on the market, into productive
19 use, and actually be an asset for our
20 community and our city.

21 So we want to recommend a
22 couple things along these lines to move
23 tax-delinquent, vacant properties back
24 into productive use. First is that the
25 City should strategically foreclose on

1 3/20/13 - WHOLE - RES. 130088, etc.
2 vacant, tax-delinquent properties that
3 are blighting neighborhoods, and,
4 secondly, that they should sell these
5 properties to new, responsible owners.

6 Right now you go to Sheriff
7 Sale, you can own a number of other
8 properties that are tax delinquent or
9 have other code violations and you're not
10 prevented from being the high bidder and
11 getting additional properties, even
12 though you may have a poor track record
13 on the past. And so we think it's
14 important that the Sheriff Sale process
15 adopt similar policies that -- the
16 citywide disposition policies went into
17 effect that now governs dispositions by
18 the Redevelopment Authority, the
19 Department of Public Property, and PHDC
20 where you have to be current on your
21 taxes in order to acquire property from
22 the City.

23 We also think that creation of
24 a land bank is a critical way to
25 facilitate the process of moving

1 3/20/13 - WHOLE - RES. 130088, etc.
2 blighted, tax-delinquent properties into
3 the hands of responsible owners. And
4 it's not just a matter of dealing with
5 the public inventory that we already have
6 that's scattered across multiple
7 agencies, but a way to strategically
8 acquire privately owned tax-delinquent
9 properties, assemble them, where
10 appropriate, with the public inventory
11 that we already have to create
12 development opportunities that will
13 really impact communities in a positive
14 way.

15 So we want to encourage City
16 Council -- we know there was legislation
17 introduced recently -- to move a land
18 bank forward and create it here in
19 Philadelphia. Several Councilmembers
20 have signed on and supported that. And
21 we think it's important to have a hearing
22 on that bill soon so that we can move
23 that process forward and really have a
24 more proactive strategy to getting both
25 publicly owned as well as privately

1 3/20/13 - WHOLE - RES. 130088, etc.
2 tax-delinquent-owned properties back into
3 productive use and tax-generating
4 properties here in the City.

5 So thank you.

6 COUNCILMAN GREENLEE: Thank all
7 three of you.

8 Councilwoman Brown.

9 COUNCILWOMAN BROWN: Yes.
10 While we seek to do better at all that's
11 being discussed, how and what do we
12 consider for those on the fragile side of
13 the ledger, seniors who are in desperate
14 places for reasons that we understand?
15 What do we factor in, think about or
16 include given the work that CLS does well
17 already? That's a constituency or
18 population that too often falls in a
19 very, very desperate place. What would
20 your recommendations or thoughts be about
21 that, that particular group?

22 MR. TOY: Well, my response
23 would be that there are some safety nets
24 in place already, but we have to make
25 sure that that is indeed there, that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 people can make payment agreements, if
3 necessary, and push their tax delinquency
4 or their taxes out a little further,
5 especially if they're on a fixed income.
6 That would absolutely be something you'd
7 want to protect people from.

8 COUNCILWOMAN BROWN: Okay.

9 MR. SAUER: I wholeheartedly
10 agree. I believe there was a hearing on
11 legislation just the other day that dealt
12 more with payment agreements and with
13 payment plans, so that if you can't
14 afford to pay it all in one lump sum
15 every spring, that there's opportunity to
16 do that throughout the year. And I agree
17 with you, we have to make sure that not
18 just seniors but other low-income
19 homeowners in particular have the
20 opportunity to stay in their homes and
21 face the rising taxes.

22 COUNCILWOMAN BROWN: Do you
23 think -- what grade would you give us?
24 Because when you look at the many
25 citizens that are going to be severely

1 3/20/13 - WHOLE - RES. 130088, etc.
2 impacted in Councilman Squilla's and
3 Councilman Johnson's district and others
4 in a more scattered way, how well are we
5 doing?

6 MR. SAUER: With regard to?

7 COUNCILWOMAN BROWN: Those
8 fragile populations and the awareness of
9 the protections.

10 MR. SAUER: I think for some
11 time it's been very difficult for people
12 to identify what the opportunities are to
13 enter into a payment plan, and so there
14 needs to be a lot of public education
15 around those opportunities and a lot
16 better access to information around what
17 those opportunities are.

18 COUNCILWOMAN BROWN: And if you
19 had to ID those who can assist CLS and
20 the Philadelphia Corporation of Aging on
21 the awareness of those protections, what
22 other agencies might you consider?

23 MR. SAUER: I mean, we would
24 certainly offer our network of community
25 development corporations throughout the

1 3/20/13 - WHOLE - RES. 130088, etc.

2 City and the housing counseling agencies
3 to get the word out. So we're very
4 supportive of that and willing to help
5 out.

6 COUNCILWOMAN BROWN: Okay.

7 Andy?

8 MR. TOY: And there are
9 occasions -- I mean, I've seen where an
10 elderly person is living in a house that
11 they just cannot really maintain and
12 would be better off if there was some
13 place in the community where they could
14 actually live, but sometimes there's no
15 other place, senior living quarters, in
16 the community and then they have to move
17 far away. But that's a major issue for
18 many people trying to age in place or age
19 in the community. We should be looking
20 to the state for some of that funding out
21 of the senior funding that they get from
22 our lottery basically.

23 COUNCILWOMAN BROWN: My five
24 minutes up?

25 COUNCILMAN GREENLEE: I haven't

1 3/20/13 - WHOLE - RES. 130088, etc.

2 been timing, but you can ask another
3 question.

4 COUNCILWOMAN BROWN: A followup
5 to a separate conversation Councilwoman
6 Sanchez and I were having yesterday
7 around PHA. For this particular
8 constituency, might an opportunity exist
9 to link up with all of these new homes
10 that are going to be coming online by PHA
11 and some linkage or some signal or some
12 red flag from those of us who are serving
13 seniors to connect seniors like in the
14 circumstance you just described, get
15 linked to PHA to capture those type of
16 persons in desperate situations? I mean,
17 of course, it's asking again for us not
18 to operate in silos.

19 MR. SAUER: So if I understand
20 your question correctly, I think, yes, if
21 there are low-income homeowners,
22 including senior citizens, that no longer
23 desire or think it's appropriate for them
24 to be a homeowner, creating affordable
25 rental housing opportunities for them is

1 3/20/13 - WHOLE - RES. 130088, etc.
2 really important and providing the
3 supports they might need in the community
4 are important. Whether that's through
5 PHA or through other opportunities for
6 affordable rental housing I think is
7 important, and I know it's a priority of
8 the City as far as funding development of
9 new housing to address the lower end of
10 the rental spectrum for those residents
11 that have those type of needs.

12 MR. TOY: And many CDCs are
13 developing low-income senior housing as
14 well or a mix of senior and non-senior.

15 COUNCILWOMAN BROWN: Okay,
16 then. That's good to hear.

17 MR. TOY: The more we do, the
18 better.

19 COUNCILWOMAN BROWN: Okay,
20 then. Thank you. Thank you both. And
21 the work that you do is incredibly
22 important, because decisions that are
23 made in halls like this are great, but
24 I'm of the view that trench, groundwork
25 is so vital to facilitating change as

1 3/20/13 - WHOLE - RES. 130088, etc.
2 well. I mean, you're on the front line
3 where you get a chance to see it up close
4 and personal, and it's important the work
5 that you do. Thank you.

6 Thank you, Mr. Chairman.

7 COUNCILMAN GREENLEE: Thank
8 you, Councilwoman.

9 Councilwoman Sanchez.

10 COUNCILWOMAN SANCHEZ: Thank
11 you.

12 Thank you all for coming, and
13 Rick, thank you for the work and your
14 guidance as we worked on this land bank
15 situation. I wanted to go to your piece
16 around Sheriff Sale, because I note that
17 in the package of bills both from
18 President Clarke and myself, the Sheriff
19 Sale issue has come up. In his
20 particular case, there's a bill that he
21 put forward around tailoring Sheriff Sale
22 around end use.

23 What has been the relationship
24 of the housing community development
25 world and the Sheriff Sale around the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 disposition policy? Has there been
3 conversations in the past with the
4 Department of Sheriff formally around
5 their process?

6 I think you brought up a really
7 good point around as much as we have all
8 of our checks and balances and tax
9 clearances in place, we've never asked
10 the Sheriff's Office to adopt any
11 policies as it relates to Sheriff Sale,
12 because they operate in that silo of
13 we're just selling the houses.

14 Have there been communication
15 either with the previous Sheriff or this
16 Sheriff around that?

17 MR. SAUER: There have been
18 some conversations in the past, and
19 obviously the Sheriff is an independently
20 elected official, so it's a little bit
21 different from the Administration here.
22 And I know there's been some improvements
23 in the Sheriff's Department to address
24 situations.

25 I guess our concern is that if

1 3/20/13 - WHOLE - RES. 130088, etc.
2 there's a push right now to put more
3 properties through the Sheriff Sale
4 process, let's make sure when those
5 properties are coming out the back end
6 that they're actually getting back into
7 productive use that we want to see happen
8 and it's not just a speculator coming in
9 who is going to buy a property and sit on
10 it for five or ten years to wait for the
11 market to flip before they either sell it
12 themselves or rehab the property. Let's
13 make sure there's some real plans and
14 that they don't have a history of being a
15 bad property owner elsewhere in the City
16 already.

17 So I see there would be no
18 reason why the Sheriff Department
19 couldn't put some procedures in place to
20 either pre-screen buyers or require a
21 minimum level of threshold or certain
22 criteria, just like other City agencies
23 have done already. And we certainly
24 would be supportive of that.

25 That being said, I do also

1 3/20/13 - WHOLE - RES. 130088, etc.
2 think that the Sheriff Sale or tax sale
3 process can be an important means for
4 acquiring vacant, privately owned
5 property in the City, and it could be
6 more cost effective and, if structured
7 right, a very effective way to deal with
8 that private inventory, where we have
9 limited tools and resources to address
10 that side of things right now. So it's
11 great if the City has their front door
12 open now and we have 10,000 vacant
13 properties within the City agencies,
14 various City agencies, but if we can't
15 address a significant portion or
16 strategic portion of those 30,000
17 privately owned vacant properties, we're
18 going to be spinning our wheels. So it's
19 not like we can do one or the other. We
20 need to look at both, the privately owned
21 vacant inventory as well as the publicly
22 owned vacant inventory. And that's where
23 I think a land bank can bring those two
24 things together. The state authorizing
25 legislation provides some new powers or

1 3/20/13 - WHOLE - RES. 130088, etc.
2 tools to pull properties out of the
3 Sheriff Sale process to get them into a
4 land bank so that you can integrate them
5 with some of the other public inventory.

6 If the City agencies already
7 own 80 percent of the vacant properties
8 on a block and there's four other
9 privately owned vacants, why wouldn't you
10 want to try to assemble that into a fully
11 developable site versus leaving a few
12 vacant lots or a few vacant buildings in
13 a new development, which you see happens
14 in the past.

15 So I think we have a great
16 opportunity here as we look at this to
17 deal with that private inventory as well.

18 COUNCILWOMAN SANCHEZ: Thank
19 you.

20 MR. TOY: I would agree on the
21 land bank issue as well.

22 Just one other point I think
23 for the Sheriff Sales. They seem to be
24 oftentimes sort of insider -- inside
25 baseball, because you have to know what

1 3/20/13 - WHOLE - RES. 130088, etc.
2 to do. You have to bring actual cash to
3 the transaction. I think if we made it
4 easier, people could actually use a
5 credit card or look online and find the
6 information very quickly and it was
7 advertised, you would have the common
8 people, maybe somebody that lives on the
9 same block as some other property that's
10 vacant and would be able to renovate that
11 property. They would actually jump at
12 the chance, but oftentimes it feels like
13 it's sort of a behind-the-scenes kind of
14 transaction and people don't know about
15 it.

16 So the more transparent and the
17 more information we can get out to the
18 public on what the sales are, especially
19 if we're going to drive more properties
20 through there, it's important that we get
21 more people to come to those sales and
22 not the same old crew.

23 COUNCILWOMAN SANCHEZ: Thank
24 you.

25 Thank you, Mr. Chair.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Councilwoman.

4 Being no other questions, thank
5 you, all three of you. Thank you for
6 your testimony.

7 Next I'd like to call Allan
8 Domb and Joe Grace.

9 (Witnesses approached witness
10 table.)

11 COUNCILMAN GREENLEE: Good
12 afternoon. We have written testimony
13 from both of you, so if you'd like to
14 summarize any statement and proceed.
15 Whoever would like to go first.

16 Mr. Domb, if you'd like to go
17 first. Please identify yourself for the
18 record and proceed.

19 MR. DOMB: Sure. My name is
20 Allan Domb. I'm the 2013 President of
21 the Greater Philadelphia Association of
22 Realtors. I was President 23 years ago
23 and they recycled me back.

24 Anyway, I'm here regarding, I
25 guess, delinquencies, like everybody

1 3/20/13 - WHOLE - RES. 130088, etc.

2 else, and we gave out a paper on our
3 position on delinquencies, but I'll just
4 give you a few highlights of it.

5 I'm representing GPAR, Greater
6 Philadelphia Association of Realtors.
7 We're in favor of AVI. We realize it has
8 to be applied fairly and equally and
9 uniformly. We also realize it's a big
10 job, because any appraiser -- you call in
11 three appraisers for any property, you're
12 going to get three different numbers. So
13 this is not a perfect system. It's a
14 system that needs to be worked on. It
15 could take two or three years to get it
16 right, but it is a good start. We're not
17 in support of any properties being
18 assessed above market value. We believe
19 fair market value is the way to go.

20 We've surveyed over 400 areas
21 across the country. Real estate taxes in
22 these areas average 1 percent of market
23 value. So if a home is worth \$200,000,
24 the taxes are \$2,000 a year; 400,000,
25 \$4,000 a year. We think that's fair.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 We're in favor of AVI,
3 providing the rate is 1 percent, but we
4 offer ways to get to the 1 percent rate
5 through making City government more
6 efficient.

7 We realize the budget for real
8 estate taxes is about 1.16 billion, and
9 we understand that about 240 million
10 would be needed in order to get the rate
11 closer to 1 percent. We've been told by
12 many sources delinquency rate averages 85
13 percent, and Kevin Gillen from the Fels
14 Institute is going to do the research on
15 that. And we've also been told that of
16 15 percent delinquents, 82 percent
17 consist of investor owners with multiple
18 properties outside the City of
19 Philadelphia and commercial property
20 owners. Only 18 percent are actual
21 homeowners in the City. Staggering, and
22 it's embarrassing actually.

23 Therefore, our suggestion is
24 simple. Two options. And we realize the
25 first option may not be that easy. But

1 3/20/13 - WHOLE - RES. 130088, etc.
2 there was a question I think that
3 Councilman Squilla asked Controller
4 Butkovitz, and the question was, I think,
5 in privatization, what's the collection
6 rate? In other cities across the country
7 that have privatized, it's 95 percent
8 collection rate. The Center City
9 District, which I realize is a different
10 level of collection, collects 99.2
11 percent.

12 So we suggest privatizing
13 collection of real estate taxes to get it
14 to 95 percent and the last 5 percent is
15 sold as tax lien sale certificates like
16 the State of New Jersey.

17 We met with last week Jerry
18 Sweeney and Paul Levy and discussed these
19 ideas with them, and one of Paul's
20 comments to me was, Check the cities of
21 Newark and Camden and see how the tax
22 lien sale certificates are doing in those
23 cities. And the City of Newark, which I
24 believe is in worse shape than
25 Philadelphia, is collecting 95 to 97

1 3/20/13 - WHOLE - RES. 130088, etc.
2 percent of its taxes through state tax
3 lien sale certificates. We need to do
4 something like that. If privatization is
5 not an option and we're collecting 85
6 percent, then we should sell the last 15
7 percent in tax lien certificate sales.

8 On March 29th, we've invited
9 every Councilperson to a seminar we're
10 putting on with Ira Lubert, who is an
11 expert in the tax lien sale certificates.
12 We invite everybody to come. This is not
13 a democratic or republican venue. It's a
14 venue to help the City of Philadelphia
15 collect its real estate taxes.

16 The City also has currently,
17 we're told, a range of numbers of \$500 to
18 \$700 million of delinquencies, past
19 delinquencies. We recommend the sale of
20 these delinquencies. Whether we get 200
21 or 250 million, we recommend the sale.

22 We also on the third point is,
23 the number keeps climbing. We're told
24 now it's 60,000 vacant homes in the City
25 of Philadelphia and parcels of land. We

1 3/20/13 - WHOLE - RES. 130088, etc.
2 suggest selling that for whatever price
3 can be achieved and having those people
4 pay taxes and those blocks where those
5 blighted homes live on become a better
6 place to live for the people that live in
7 those neighborhoods. I was told by
8 Councilwoman Sanchez that one blighted
9 home affects the value per property
10 \$7,500. If you have a block with three
11 blighted homes and they get sold, that
12 whole value of that block goes up in
13 value.

14 We're recommending overall keep
15 the rate to 1 percent. These three
16 points will save over \$250 to \$300
17 million. But I think overall we feel AVI
18 is an opportunity for the City of
19 Philadelphia to reexamine all taxes that
20 are delinquent. There's 16 different
21 taxes in the City. It's time that we
22 institute efficiencies in City
23 government, which we as business people
24 who work in the City of Philadelphia have
25 enacted these in our businesses,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 especially in the last seven, eight years
3 with the economy not being that great.
4 There is no business in the City of
5 Philadelphia that could survive with a 15
6 percent delinquency rate in their current
7 business. Nobody could survive that.

8 So overall, we stand ready
9 to -- GPAR stands ready to be part of the
10 solution and a resource to you in
11 resolving the City's problems with
12 assessing and collecting property taxes,
13 and we look forward to working with you.

14 Thank you.

15 COUNCILMAN GREENLEE:

16 Mr. Grace.

17 MR. GRACE: Thank you,
18 Councilman. And thank you for the
19 opportunity to be here. I'm Joe Grace,
20 the Director of Public Policy for the
21 Greater Philadelphia Chamber of Commerce.
22 And mindful of the Councilman's request,
23 I will not read my testimony.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 MR. GRACE: Which has already
3 been entered into the record. I'll just
4 make a couple of points and then open up
5 for questions.

6 The Chamber of Commerce
7 supports the Actual Value Initiative. We
8 think it promotes fairness. We think it
9 promotes a sense of equity in treating
10 all taxpayers equally across the City, be
11 they residential or be they commercial.
12 But fairness also includes making sure
13 that all taxpayers pay what's due and
14 owing to the City. And it's clear the
15 City can do a much better job collecting
16 delinquent property taxes than it has.

17 We've all heard comments today
18 about the Inquirer news series in the
19 past week, more than 102,000 properties
20 or parcels delinquent on their property
21 taxes. The City now owed more than \$515
22 million in taxes, interest, and
23 penalties. Clearly, something is not
24 being done right, and it's not fair to
25 taxpayers who are paying their fair

1 3/20/13 - WHOLE - RES. 130088, etc.
2 share.

3 With a collections rate of 85
4 percent or just a little over 85 percent,
5 we're lagging ten points behind all other
6 major American cities. We have a 21
7 percent increase in the last three years
8 in the total amount of money that is owed
9 to the City in delinquent taxes and
10 interest and fines.

11 This is not a new problem. The
12 Tax Reform Commission in 2003 said this
13 about how the City was doing ten years
14 ago at collecting delinquent taxes:
15 Philadelphia must do more to collect
16 revenues from individuals and businesses
17 that are either ignorant of their tax
18 obligations or consciously choosing not
19 to pay what they owe the City. Improving
20 enforcement and increasing the penalty
21 for non-compliance will allow the City to
22 finance tax reform and lower the burden
23 faced by all Philadelphia residents and
24 businesses.

25 We support the Mayor's

1 3/20/13 - WHOLE - RES. 130088, etc.
2 initiative to expend resources on both
3 increasing staff in the Revenue
4 Department and enhancing the IT ability
5 and capacity to better collect delinquent
6 taxes. And I think the Mayor said in a
7 news conference in January he believed
8 that investment over the next five years
9 could generate \$250 million in
10 collections over the next five years.

11 We specifically support the
12 work of this Council in highlighting this
13 very real problem here in the City, and
14 we commend the Committee of the Whole and
15 every Councilmember for paying attention
16 to this important problem.

17 We specifically support several
18 other measures that City Council is
19 advancing that we think go to the heart
20 of these issues. We support Council
21 President Clarke and Councilman
22 Greenlee's initiatives to place
23 advertising on City-owned property to
24 raise revenues without raising taxes in
25 the City.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 We support the Council
3 President's proposals to move thousands
4 of vacant parcels of both land and
5 property into entrepreneurs' and
6 developers' hands to redevelop them, to
7 create jobs, affordable housing, and put
8 properties back on to the tax rolls for
9 Philadelphia.

10 And we support Councilwoman
11 Quinones-Sanchez's proposal for a land
12 bank to help speed and facilitate this
13 vacant land and orderly disposition and
14 development of property.

15 So we think there are issues
16 that we can do and that we can be very
17 supportive on to see the City put more
18 properties back on the tax rolls and do a
19 better job at collecting delinquent
20 taxes.

21 Lastly, I would just say that
22 the City has raised taxes, increased
23 taxes, unfortunately on the real estate
24 and the sales and the use and occupancy
25 tax by just about \$275 million over the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 last four years. If the City collected
3 one half of the delinquent taxes,
4 interest, and fines that are now owed to
5 Philadelphia, that would be about \$257
6 million, and that could have eliminated
7 or could eliminate the need for those
8 kind of tax increases. We think that's
9 better for the creation of jobs, for
10 every homeowner, every business, and
11 every citizen in Philadelphia.

12 Thank you.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 Councilman Henon.

16 COUNCILMAN HENON: Thank you,
17 Mr. Chairman.

18 Mr. Domb and Mr. Grace, I
19 appreciate you coming in and respect your
20 professionalism and years of service to
21 both of you here to the City of
22 Philadelphia. I have several questions
23 for both of you.

24 One, I believe as a body we
25 recognize and understand the need to

1 3/20/13 - WHOLE - RES. 130088, etc.

2 better our tax delinquency and our
3 services here. In doing so, in
4 prioritizing them and bringing us up to
5 technology -- because it seems like
6 everybody has stated it's the technology
7 and that investment which is going to
8 have a better return, in which the
9 schools get their funding, which lowers
10 the millage rate. And I don't think
11 there's not one person in this body who
12 doesn't want the lowest possible millage
13 rate for our -- or AVI. So that's for
14 sure.

15 You had mentioned in
16 referencing the tax delinquencies what it
17 does to the neighborhoods, as per stated
18 in the Inquirer reports and Kevin
19 Gillen's, and I think there's a lot of
20 merit to those findings in, I guess, the
21 deplorable conditions and the property
22 values in our neighborhoods. I think one
23 report has showed that, Patrick Kerkstra
24 along with Kevin Gillen, that where
25 there's a block with tax delinquencies,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 the neighborhood declines in value 22
3 percent; is that correct?

4 MR. GRACE: Yes. That's what I
5 read.

6 COUNCILMAN HENON: And from my
7 data searching and my office over the
8 past year, year and a half, I certainly
9 drew the correlation with tax
10 delinquencies, property maintenance
11 violations, blight, and the decrease of
12 property values also by 20 percent. So
13 I'm glad that it was affirmed through a
14 study like that. And in essence, what
15 we're doing by not enhancing and
16 bettering our collections on our
17 delinquencies, we're lowering the value
18 of the properties in the City. Instead
19 of heading towards prosperity, we're
20 going in the opposite direction.

21 So as, one, Allan, in the
22 realty industry, I got to get a question.
23 Talking about Sheriff Sales and the
24 surplus of public property that we have,
25 many of which, thousands of which, are

1 3/20/13 - WHOLE - RES. 130088, etc.
2 either residential properties or vacant
3 properties or vacant land and homes that
4 we have on our rolls, what kind of --
5 what effect would it have if we bulk-sold
6 property like Montgomery County or what
7 kind of effect on the market would we
8 have if we had resales on the spot on
9 Sheriff Sale? And I don't know that
10 system all that well, but from a market
11 view and your perspective, what kind of
12 impact would that have on the market?

13 MR. DOMB: I think it actually
14 could be a positive. If this was a
15 business, you said to me there's 60,000
16 parcels that have to be dealt with, I
17 don't know that the City of Philadelphia
18 is capable at this point of dealing with
19 it. I would hire a private company like
20 a Sheldon Good or private auctioneer to
21 come into each Councilmanic district, let
22 them pick a hundred homes, auction them
23 off all at one shot in 60 to 90 days,
24 advertise it. They do it all the time,
25 public auctions. It's a private company.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Let them make their fee. You pick --
3 whoever can pick the properties and want
4 to put into the first pool of a hundred,
5 but you can have 1,500 homes sold very
6 quickly. You could probably work through
7 the inventory pretty systematically that
8 way. It could be owner-occupants. It
9 could be investors. But now a blighted
10 home gets occupied. Create an incentive
11 for them to develop it within the first
12 12 months. Even if you get peanuts on
13 the value, what you're getting is an
14 occupied property that changes the
15 neighborhood.

16 One other thing I wanted to
17 mention to you on delinquencies. I've
18 been in business 34 years. We did all of
19 our collections ourselves. The last four
20 weeks I said, I'm not doing this anymore.
21 I turned it over to a third party, all of
22 our collections, and it's amazing how
23 well a third party privatized is
24 collecting for us. Because everyone knew
25 me and would say to me, Hey, Allan, can

1 3/20/13 - WHOLE - RES. 130088, etc.

2 you give me a break. I got tired of
3 doing that. I said, You know what, the
4 third party is the buffer.

5 I'm just suggesting this. From
6 the City's perspective, you need a
7 third-party buffer.

8 MR. GRACE: I would add one
9 thing to either something that Allan said
10 or, Councilman, it may have been in your
11 question, but the City wouldn't only
12 realize the value of getting properties
13 back to make them more productive if we
14 moved them, the vacant properties that
15 we're holding on to, they're not on the
16 tax rolls. I think the Council President
17 spoke about this when he introduced with
18 some of you that package of bills several
19 weeks ago. The City is spending close to
20 \$20 million a year maintaining all these
21 vacant parcels that are not on the tax
22 rolls. So not only are there tax
23 revenues not realized because they're
24 vacant, but we're spending close to \$20
25 million a year maintaining this vast

1 3/20/13 - WHOLE - RES. 130088, etc.
2 inventory of vacant property. So
3 there's -- we can go up on the revenue
4 side and we can go down on the
5 expenditure side by moving some of these
6 thousands of vacant parcels into hands
7 that want to develop them to good use.

8 COUNCILMAN HENON: And to add
9 to that, there's additional expenses that
10 have occurred aside from the 20 million.
11 I mean, you have a larger liability cost
12 on our insurance and the coverage of the
13 responsibilities that we have with these
14 properties, and a lot of them may or may
15 not, depending if we get to them -- one
16 bad weekend or a night, you never know
17 what condition it's going to look like in
18 the morning. So we're opening ourselves
19 up to a ton of liability if the inventory
20 continues to grow as it has been.

21 MR. DOMB: One more comment. I
22 think there's 10,000 parcels that are
23 vacant, and I think 7,000 of them are
24 valued at less than a hundred dollars
25 each, because they're in areas where you

1 3/20/13 - WHOLE - RES. 130088, etc.
2 really can't build on the parcel because
3 of the economics. If homes are selling
4 for 75,000, you can't build a new home
5 for less than 75,000 and sell it in the
6 market. But those lots should be sold to
7 the next-door neighbors for whatever
8 you -- a hundred dollars, \$200, whatever
9 you can sell them for, and let the
10 next-door neighbor expand their lot, pay
11 taxes, now have a row home that has a
12 backyard and maybe parking and a place
13 for their kids to play in, fenced in, and
14 now maybe they don't move to South Jersey
15 or other locations. They stay in the
16 City of Philadelphia with a unique home.
17 And by having a row home with a big,
18 full-sized lot next to it creates a
19 higher value for that home down the road.
20 But you keep them in the City. The main
21 thing is to change the neighborhoods and
22 keep them in the City.

23 MR. GRACE: And a higher value
24 means -- that's exactly the point. It
25 means over the long haul, more revenue

1 3/20/13 - WHOLE - RES. 130088, etc.
2 for the City, because the properties
3 don't -- that was the point of that
4 Inquirer news series. Properties don't
5 destabilize and the values don't slide
6 because of all this vacancy and
7 delinquency.

8 COUNCILMAN HENON: We certainly
9 don't want to be a race to the bottom
10 here in the City of Philadelphia, and
11 infrastructure isn't just your bricks and
12 mortar. I look at infrastructure as
13 families and people who are trying to
14 raise their family here, who want to get
15 a chance at owning their first house or
16 coming back to the City. So that's the
17 infrastructure that we all want to see
18 survive and thrive and prosper here in
19 the City of Philadelphia, in addition
20 to -- and collecting \$250 million. So if
21 that's collectable and that's over five
22 years as per the Revenue Commissioner, I
23 mean, that is additional revenue that
24 could provide other services for many
25 people here in the City.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 MR. DOMB: There's 174 million
3 a year just in the real estate taxes
4 annually that we could collect if we did
5 exactly what the State of New Jersey
6 does, 174 million a year that we do in
7 New Jersey. And New Jersey is collecting
8 it, and Florida is doing it too. And
9 there are companies in Philadelphia, by
10 the way, who are buying these tax liens
11 from Jersey and collecting on them. But
12 we should be doing that. We shouldn't be
13 in this business. We should be in the
14 business of getting the revenue and
15 putting it out to the services that need
16 it.

17 MR. GRACE: And that's not pie
18 in the sky, because as the Inquirer in
19 that lengthy series pointed out and I
20 think that the Controller testified just
21 a little earlier this afternoon, many
22 major American cities are collecting
23 close to 99 percent, 98, 99 percent of
24 the property taxes that are due those
25 cities. So when we're at 85.5 percent,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 obviously all that revenue is being lost.

3 MR. DOMB: There's really two
4 big pieces. The big piece is the
5 outstanding past, which I'm hearing is
6 500 million to 700 million. The annual
7 piece is 174 million. And as the annual
8 piece doesn't get collected, it just
9 keeps adding to the past, and that's the
10 problem.

11 COUNCILMAN HENON: And I just
12 want to be clear in my last question
13 again. If we turned and moved a lot of
14 our surplus over to private investments,
15 which are people who want to purchase
16 homes for whatever value, whatever that
17 system, so that amount of insurgence of
18 surplus here, that would not -- supply
19 and demand, that wouldn't bring down
20 values? What would that do to the
21 market, the real estate market?

22 MR. DOMB: It might attract
23 more people to come to the City. It
24 might attract people who want to buy a
25 home.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 We have a high percentage of
3 renters in the City. We might be able to
4 convert some of those -- with the
5 interest rates today are the lowest level
6 they've been in 60 years. When I started
7 in the business, interest rates were 21
8 percent. Now they're 3 and a half to 4.
9 So buying a row home in Northeast
10 Philadelphia for \$50,000 and having a 4
11 percent interest rate is \$2,000 just on
12 interest a year. It's a joke. The
13 payments are so cheap. You could
14 actually get a lot of people invested in
15 the City and do a whole program of
16 converting people who are renting and
17 showing them how they can buy and become
18 homeowners.

19 COUNCILMAN HENON: I agree. I
20 think we have a great opportunity that is
21 in front of us right now if we address it
22 smartly, and I think we need to do it
23 now.

24 MR. GRACE: Just a very
25 quick -- and I know in the interest of

1 3/20/13 - WHOLE - RES. 130088, etc.
2 time, but I'm not a real property expert
3 like Mr. Domb, but for some reason, I'm
4 looking at Councilman Johnson and
5 addressing Councilman Henon's question.
6 A blighted parcel of land in Point Breeze
7 is dragging down the values of the
8 surrounding neighborhood, and whatever is
9 done with that parcel, if it's moved into
10 legitimate hands, is better and it's
11 going to enhance the value of that block
12 and hopefully put the property back on
13 the tax rolls.

14 COUNCILMAN GREENLEE: Thank
15 you.

16 Councilman Squilla.

17 COUNCILMAN SQUILLA: Thank you,
18 Councilman.

19 My question is sort of, I
20 guess, on the guise of Councilman Henon's
21 questions about grabbing a bunch of these
22 properties and disposing them in a
23 professional way. We see now with the
24 Sheriff Sales we have no -- at this point
25 there's no control. If somebody does buy

1 3/20/13 - WHOLE - RES. 130088, etc.
2 them, there's no development, plan of
3 development. So we also do offer, I
4 guess -- there is a chance that people
5 can go to Sheriff Sale and also land bank
6 themselves, which is not what we're
7 trying to do. So it can defeat the
8 purpose.

9 But with, say, our PRA or
10 whoever, land bank, disposed of these
11 properties, say we give them to a bunch
12 of realtors throughout the City and they
13 dispose of them. Is that something
14 obviously that the City can mandate that
15 there would be a plan of development and
16 a timeline for this development in order
17 for it to happen?

18 MR. DOMB: I mean, I think the
19 best way to mandate something like that
20 is through incentives. I think Council
21 President Clarke had a bill that
22 incentivizes people to develop within a
23 certain time period. I think you got to
24 do what we do with the private business.
25 We incentivize people to perform. And I

1 3/20/13 - WHOLE - RES. 130088, etc.

2 think you do the same thing when you're

3 selling these parcels and properties.

4 You incentivize them to take action.

5 MR. GRACE: I support a hundred

6 percent. Allan beat me to the same

7 point. We have to incentivize.

8 COUNCILMAN SQUILLA: And if

9 that incentive isn't met, the City would

10 then -- the property would then be

11 returned to the City.

12 MR. GRACE: Absolutely, yes.

13 It's my understanding that's what that

14 one piece of legislation that the Council

15 President introduces does in terms of

16 having them in development districts.

17 COUNCILMAN SQUILLA: Now, would

18 you just from your own -- I know the

19 Sheriff Sales is a different issue, but

20 do you think something like that as far

21 as Sheriff Sales would also be a

22 positive, or too hard to manage?

23 MR. DOMB: Positive as far as

24 selling them and not having incentive on

25 a Sheriff Sale? I don't know that you

1 3/20/13 - WHOLE - RES. 130088, etc.
2 necessarily would have to do that in a
3 Sheriff Sale, depending on the property.
4 And I think the key on the Sheriff Sale
5 is to unload it into private hands of --
6 if some private person is going to have
7 to start paying taxes, you're going to
8 see action. They're not just going to
9 sit on the property and not pay taxes.
10 So they're going to start taking action.

11 COUNCILMAN SQUILLA: Not the
12 way the system is set up right now,
13 because our land taxes are so low. So if
14 you could get them, you could actually
15 land bank them for 20 years and pay
16 hardly any taxes.

17 MR. DOMB: Well, you have two
18 properties. Then you're dealing with
19 land and you're dealing with buildings.
20 Those with the buildings have higher
21 taxes. The land you got to do an
22 incentive on to get them to develop it.

23 COUNCILMAN SQUILLA: Okay.

24 Thank you.

25 COUNCILMAN GREENLEE: Thank

1 3/20/13 - WHOLE - RES. 130088, etc.

2 you, Councilman.

3 Councilman Johnson.

4 COUNCILMAN JOHNSON: Thank you,
5 Mr. Chair.

6 I just wanted to thank both of
7 you for your testimony. A couple of
8 small statements and a question.

9 Allan, you talked about AVI,
10 and I wanted to get an idea of what's
11 your reaction in the real estate
12 community regarding the new assessments
13 and its impact on the actual business. I
14 met with some developers, real estate
15 agents, in my neighborhood, and a couple
16 scenarios were, you know, you're in the
17 middle of a deal and last week before the
18 assessments came out, Church A was worth
19 400,000. Get this assessment today,
20 Church A is now worth 1.5 million. Real
21 estate agent and the owner of the church,
22 now they're going back and forth.

23 I just want to get an idea from
24 the real estate aspect the impact on
25 these new assessments on your particular

1 3/20/13 - WHOLE - RES. 130088, etc.
2 profession.

3 MR. DOMB: First of all, I will
4 say this. I think it was Councilman
5 Kenney who mentioned this to me. He said
6 that of the assessments, about 35,000 of
7 your 500,000 parcels under a 1.25 rate
8 would have about an increase of a
9 thousand dollars a year in real estate
10 taxes, which while it's high, it's not
11 the end of the world when you put it in
12 the big picture. But I think overall
13 AVI, it's a good thing. There are
14 clearly problems. I know in the
15 Northeast section of the City, there's a
16 lot of problems. They have to be fixed.
17 I mean, it's not acceptable if that
18 church example was selling for 1.2 and
19 the City said it's worth 1.5. That's not
20 right. It has to be fixed. But whatever
21 it's selling for, that should be the
22 value, or whatever it's worth today,
23 that's the value, not higher but what
24 it's worth today.

25 And let me mention something

1 3/20/13 - WHOLE - RES. 130088, etc.
2 else. Most of the properties I've seen
3 in Center City -- and I see a lot of
4 them -- they did a pretty good job. I
5 can't -- I mean, there's some mistakes
6 and there's errors and maybe there's 5
7 percent of problems, but in general, it's
8 not terrible. And also I think a lot of
9 people who were used to paying very low
10 taxes, 500 or a thousand dollars a year,
11 and their properties went up a lot, what
12 they don't recognize is the property that
13 was worth 50,000 is now worth 300,000 and
14 for ten years they were paying low taxes
15 on the 50,000 while everyone else was
16 paying on the full value. So they got
17 tremendous benefits that they don't
18 really understand and they're complaining
19 about a \$1,500 increase while their value
20 went up 250. I would tell the City to
21 say, You know what, we'll keep your taxes
22 at 500 and we'll take the increase of
23 250.

24 It reminds of the Barclay when
25 I bought the Barclay and I had to assess

1 3/20/13 - WHOLE - RES. 130088, etc.
2 everybody \$15 million for the
3 improvements and the infrastructure. The
4 people complained. I thought they were
5 going to throw me out of the building on
6 the 10th floor. They were nuts.
7 Meanwhile, their homes went up hundreds
8 of thousands of dollars. They didn't
9 care about that. They only cared about
10 the 10,000 they had to pay.

11 COUNCILMAN JOHNSON: I just
12 wanted to just get some additional
13 insight from the real estate aspect. I'm
14 having some conversations with a couple
15 agents in the area. But the other
16 component regarding the selling of
17 wholesale land, I like the concept, but
18 also I want to incorporate a component
19 where non-profit organizations could play
20 a role, because I meet a lot of
21 non-profit organizations who would like
22 to invest in certain parcels of land as
23 it relates to the City and do development
24 projects, rather it be affordable, mixed
25 income, rather it be certain types of

1 3/20/13 - WHOLE - RES. 130088, etc.
2 green gardens, rather it be dog parks,
3 which I think we so sorely need in Point
4 Breeze, but that's another way for us to
5 start utilizing and bringing back the
6 vitality of our neighborhoods. Because I
7 know in certain parts, separate from
8 Point Breeze, in certain parts of North
9 Philly I go into, it would be a
10 no-brainer if I was a developer and you
11 said you're going to give me an incentive
12 to give me these five parcels of land,
13 but in return, I have to develop them in
14 XYZ amount of time, it does make sense to
15 move forward in that aspect. But that's
16 just so much my comment on it.

17 MR. DOMB: I think as long as
18 you make it economic for the person to do
19 it, it won't be an issue.

20 COUNCILMAN GREENLEE: Thank
21 you.

22 Before I recognize Councilman
23 Squilla, Mr. Domb, just on one thing.
24 This hearing is supposed to be about
25 delinquent real estate taxes, so I don't

1 3/20/13 - WHOLE - RES. 130088, etc.
2 want to get too much into AVI today, but
3 when you say about raising the property
4 value for people, I mean, obviously in a
5 lot of those neighborhoods there's people
6 that have been there maybe a couple
7 generations. So that market value means
8 little to them. They just want to live
9 out their life. So I think we have to
10 factor that in too when we go over all
11 this.

12 MR. GRACE: I'll just make a
13 quick comment, and the Councilman is
14 right, today is about looking at how the
15 City collects delinquent property taxes.
16 But there's been any number of bills in
17 recent weeks introduced by Councilman
18 Johnson and Councilman O'Neill and I'm
19 probably leaving someone out --

20 COUNCILMAN GREENLEE: A whole
21 lot of people.

22 MR. GRACE: -- that look
23 specifically at what Councilman Greenlee
24 just raised and the issue of whether we
25 need to look at deferrals, whether we

1 3/20/13 - WHOLE - RES. 130088, etc.
2 need to look at carefully calibrated
3 exemptions. We certainly understand that
4 and think that that's an important
5 dialogue.

6 COUNCILMAN GREENLEE: I just
7 want to get that on record. That's fine.

8 MR. GRACE: We agree.

9 MR. DOMB: We agree with a
10 means income test, but we also feel that
11 on deferral, it should be added to the --
12 as a lien on the property, so when they
13 do sell it, the City gets the money.

14 COUNCILMAN GREENLEE: Okay.
15 Councilman Squilla.

16 COUNCILMAN SQUILLA: Yes. One
17 other quick question since there was an
18 AVI question there earlier and I just
19 wanted to ask. Talking to OPA and
20 they're doing assessments on
21 single-family homes and then homes
22 converted from single-family to
23 multi-family homes, and they told us best
24 practices show that the multi-family
25 homes are worth less in the single-family

1 3/20/13 - WHOLE - RES. 130088, etc.
2 row areas. Is that something as a
3 realtor you see?

4 MR. DOMB: I think there's
5 three approaches to value. So we got to
6 ask them how they're approaching it.
7 There's cost approach, income approach,
8 and market data approach.

9 On a single-family home, most
10 appraisers will approach it as market
11 data. Single-family home, what's the
12 value.

13 Multi-family, they might be
14 using cap rates or an income approach,
15 and because they're not getting enough
16 rents in that property or whatever the
17 data is, they might not be valuing it the
18 same way.

19 But clearly the highest and
20 best value is a single-family home in
21 most situations. And so when you convert
22 it to a multi-family, the only argument I
23 can make if I was an appraiser is, what
24 is the cost to convert it back to a
25 single-family and deduct that from the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 single-family next door, and that's where
3 your value should be.

4 COUNCILMAN SQUILLA: Because we
5 have some people converting single-family
6 homes to multi-family homes in the
7 process. So they're spending that money
8 to make the property less valuable?

9 MR. DOMB: Well, they're
10 spending it to collect income, but based
11 on that income, it might make the
12 property less valuable because they're
13 using a different appraisal approach.
14 When it's a multi-family, you're using an
15 approach like what will I buy the
16 property for based on the income it can
17 generate. And most of your single-family
18 homes are worth more as single-family
19 homes than if you cut them up into
20 multi-family, because the value as a
21 homeowner, especially with rates where
22 they are today, is far greater than a
23 multi-family that has three or four units
24 and the rents are low.

25 So it really is going to depend

1 3/20/13 - WHOLE - RES. 130088, etc.
2 on the situation. It's not a blanket
3 statement, but in general, if I was given
4 the choice of a row home that's a
5 single-family in a nice area versus
6 cutting it up into four or five units,
7 that may be the desire of the homeowner
8 who wants rental income, but I would bet
9 that I could sell a single-family for a
10 greater price than a multi, like a four-
11 or five-unit building.

12 COUNCILMAN SQUILLA: And that
13 would be the case depending on the area
14 of the home and the value of the home
15 compared to --

16 MR. DOMB: And the
17 neighborhood.

18 COUNCILMAN SQUILLA: And the
19 neighborhood. So in some instances, it
20 may be the other way?

21 MR. DOMB: It's possible. I
22 was in Point Breeze yesterday and I saw a
23 property at the corner of 21st -- I can't
24 remember the other street, but it was a
25 single-family cut into four properties,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 and actually that property could produce
3 \$2,200 a month in rents. It's more
4 valuable as four units in that area than
5 it would be as a single-family.

6 So it's really by area. You
7 got to go by area.

8 COUNCILMAN SQUILLA: So there
9 isn't just one way to do it. So to say
10 that that would be done throughout the
11 City, you would find that hard to
12 believe?

13 MR. DOMB: I think you could
14 discuss that with them and it should be
15 adjusted.

16 COUNCILMAN SQUILLA: All right.
17 Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you.

20 Thank you both.

21 (Thank you.)

22 COUNCILMAN GREENLEE: Our next
23 set -- I'm going to jump around just a
24 little bit. We're going to have Richard
25 Kane, Monty Wilson, and Stefanie Seldin.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 (Witnesses approached witness
3 table.)

4 COUNCILMAN GREENLEE: You're
5 going to have to leave pretty soon, so
6 why don't you start out. Identify
7 yourself for the record, please, and
8 proceed.

9 For those of you -- I think the
10 other two may have written testimony, so
11 if you can just summarize, I'd appreciate
12 it.

13 Mr. Kane, please.

14 MR. KANE: Yes. Hello. My
15 name is Richard Kane. I'm going to try
16 to keep my testimony brief.

17 COUNCILMAN GREENLEE: Thank
18 you.

19 MR. KANE: Basically I'm a
20 taxpayer that due to circumstances, I
21 wasn't a full owner of my house. My
22 mother inherited the house from my
23 stepfather, and my stepfather left the
24 will to my mother and the children, which
25 is myself. My mother never had a will

1 3/20/13 - WHOLE - RES. 130088, etc.
2 before she deceased and the property was
3 still under my stepfather's name. He
4 passed away in 1974. Basically I'm in
5 the process of getting the deed changed
6 to my name and my brother's name.

7 Also, unfortunately, the City
8 Law Department and the Revenue Department
9 don't work hand in hand. I received
10 notification from the Law Department to
11 start paying taxes. I made an agreement
12 with the Law Department to say how much I
13 could pay. I'd say, Okay. At the time,
14 it was me and my brother. I had income.
15 I said for right now, because I was in
16 foreclosure on the mortgage, that I was
17 able to pay roughly a hundred dollars a
18 month. That was my agreement with the
19 Law Department. I've kept that agreement
20 for the last several years.

21 COUNCILMAN GREENLEE: That was
22 a written agreement, sir?

23 MR. KANE: That's what they
24 send a notification in the mail, yes.

25 In the meantime, I try to get

1 3/20/13 - WHOLE - RES. 130088, etc.
2 into a program with the Revenue
3 Department to start paying something
4 towards the taxes also, but the Revenue
5 Department said that if I didn't have the
6 deed --

7 COUNCILMAN GREENLEE: Clear
8 title to it?

9 MR. KANE: Clear title, then
10 there was no agreement that they could
11 make. I'm in a catch-22.

12 COUNCILMAN GREENLEE: Mr. Kane,
13 just so I'm clear on this, these are the
14 same taxes, the same real estate taxes
15 you were making an agreement with the Law
16 Department and with the Revenue
17 Department?

18 MR. KANE: See, the Law
19 Department, see, they basically come
20 after you as far as putting a lien or
21 other incentive for you to come to make
22 agreement. And my situation is also that
23 I also wanted to go to the Revenue
24 Department and make an agreement with
25 them, and they said I couldn't because I

1 3/20/13 - WHOLE - RES. 130088, etc.

2 didn't have clear title to the deed.

3 My problem also is that for
4 several years, I've been paying to the
5 Law Department. I can't get them to
6 answer as far as -- I have the receipts
7 what I paid, but I have no clear
8 statement to say, Okay, well, you down
9 such -- I don't get no statement, no
10 monthly statement, no annual statement,
11 nothing to that effect. And also the
12 Revenue Department, they said that if I
13 had clear title, then I would be eligible
14 for, I guess you could say, an amnesty
15 program, whereas you could start paying X
16 amount per month. But since I don't have
17 clear deed, then at first what she said
18 was okay -- when I first went there, she
19 said, Come and bring letters of
20 administration for the estate, and also I
21 brought the will of my stepfather. I
22 brought that, and when I went back and I
23 had a down payment, I had a couple money
24 orders for a hundred dollars, and she
25 said, Wait a minute. She had a meeting

1 3/20/13 - WHOLE - RES. 130088, etc.
2 with her supervisor. The supervisor said
3 that, Mr. Kane, there's nothing we can do
4 even though you have money to start
5 paying; that if you don't have clear
6 title to that deed, then you're not able
7 to. And that's my quandary right now.

8 COUNCILMAN GREENLEE: How long,
9 sir, do you think it would be before
10 you're able to get the name in you and
11 your brother's name? Do you have any
12 idea?

13 MR. KANE: Hopefully within a
14 year.

15 COUNCILMAN GREENLEE: Within a
16 year, okay. Are there any -- and after
17 this, I'm going to suggest that maybe you
18 can meet with -- have you been dealing
19 with any Council office at all, any
20 Councilperson's office at all?

21 MR. KANE: No, I haven't.

22 MR. WILSON: Without being
23 egotistical, sir --

24 COUNCILMAN GREENLEE: You're
25 going to have to speak into the

1 3/20/13 - WHOLE - RES. 130088, etc.

2 microphone. Identify yourself, please.

3 MR. WILSON: My name is Monty
4 Wilson. I'm a lawyer at Community Legal
5 Services. I'm here with Stefanie Seldin
6 from VIP.

7 Mr. Kane is lucky. He has me
8 as his lawyer and he has --

9 COUNCILMAN GREENLEE: So he has
10 a lawyer, okay.

11 MR. WILSON: And he has
12 Stefanie Seldin from VIP working to clear
13 his title. He already has a pro bono
14 attorney working on it.

15 COUNCILMAN GREENLEE: Okay.
16 Well, that's good.

17 Mr. Kane, you are ahead of the
18 game as far as a lot of other people.
19 But I think what you're saying is that
20 there's isn't the coordination or maybe
21 the cooperation, if you will, or the
22 consideration, whatever word you want to
23 use, from the City. Because you want to
24 pay your taxes, right?

25 MR. KANE: Yes, I do.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 COUNCILMAN GREENLEE: You want
3 to pay taxes. You want to enter into an
4 agreement, but there's legal
5 technicalities. But I will say, not just
6 because they're sitting there, you got
7 some good folks operating on your behalf.

8 MS. SELDIN: Thank you,
9 Councilman.

10 MR. KANE: And another thing --

11 COUNCILMAN GREENLEE: That gets
12 you to even have a shorter testimony.

13 Not you.

14 MR. KANE: An agreement --
15 okay. I understand there's principal,
16 interest, and also penalties, but maybe
17 the City could offer an incentive for
18 people that are behind taxes to say,
19 Look, if we cut down some of your
20 interest and your penalties and you could
21 pay on principal, that will be an
22 incentive for a lot of people that has
23 similar situations, similar problems to
24 come into your coffers instead of
25 penalizing them, you know, for different

1 3/20/13 - WHOLE - RES. 130088, etc.
2 reasons as to why they're behind.

3 COUNCILMAN GREENLEE: I
4 understand. And I think there are some
5 programs, and I think your folks can help
6 you there try to get in those, but --

7 MR. KANE: Well, that's the
8 catch-22. I'm not able to get in the
9 program.

10 COUNCILMAN GREENLEE: Because
11 your name is not on the deed. I
12 understand. I understand.

13 MR. KANE: Thank you.

14 COUNCILMAN GREENLEE: Thank you
15 very much. Thank you for your patience
16 in staying here.

17 Mr. Wilson or Ms. Seldin,
18 whoever would like to go next. I ask you
19 to try to be brief. We still have a
20 number of people who want to comment.

21 MR. WILSON: Yes, I will.
22 Despite my urge to read my nine pages of
23 testimony into the record, I will not do
24 that.

25 COUNCILMAN GREENLEE: That's

1 3/20/13 - WHOLE - RES. 130088, etc.

2 because we were nice to you. We jumped
3 you ahead of a few people.

4 MR. WILSON: And I appreciate
5 it. Councilman, I'll make this as
6 absolutely as brief as I can.

7 My name is Monty Wilson. I am
8 a consumer attorney at Community Legal
9 Services in Philadelphia where I've
10 worked for ten years. I started working
11 in the private mortgage foreclosure
12 defense world. We all know that
13 Philadelphia has a nationally known
14 conciliation program helping homeowners
15 stay in their homes when they are facing
16 a private mortgage foreclosure. We go to
17 the ends of the earth for them. I'm
18 going to tell you why that should be part
19 of the model we use to keep homeowners in
20 their house, but I want to just quickly
21 tag a few points that Mr. Kane isn't
22 going to make for himself.

23 I've been his lawyer since
24 2006. He inherited a house covered with
25 a mortgage and tax debt. That mortgage

1 3/20/13 - WHOLE - RES. 130088, etc.
2 had ballooned up to \$19,000. It's not
3 money he got. He inherited it from mom.
4 Didn't own the property. I filed a
5 bankruptcy for him.

6 Mr. Kane is the hardest working
7 man in the universe. He worked with one
8 of his brother's help, who was
9 periodically laid off, to pay off that
10 entire \$19,000 in five years. He now has
11 to leave to go to work, because three
12 months before we finished the bankruptcy,
13 he received notice from the City that he
14 was being sued for delinquent taxes.

15 He had been paying \$95 to the
16 Law Department for a few years earlier
17 than that every month. And actually I
18 give the Law Department credit. They
19 reached out to him to say there is a
20 delinquency here, we need to work on
21 that. He had been making those payments.
22 However, unfortunately, the left hand and
23 the right hand don't always seem to
24 coordinate, and I'm not sure what the
25 record of those payments are. We don't

1 3/20/13 - WHOLE - RES. 130088, etc.
2 have a record of where that money has
3 gone.

4 COUNCILMAN GREENLEE: If I can
5 interrupt. One thing I wasn't clear on
6 what Mr. Kane said, he said he had an
7 agreement with the Law Department. He
8 was paying something, a hundred dollars a
9 month.

10 MR. WILSON: Ninety-four.

11 COUNCILMAN GREENLEE: And he
12 was trying to get an agreement with
13 Revenue. On what? I mean, was it
14 different --

15 MR. WILSON: Well, he's paying
16 \$94. I have not seen a written agreement
17 that states what that's for, where that's
18 going. He was sued. I am now
19 representing him in the tax foreclosure.
20 The first step I wanted to take was, this
21 is straightforward. We have guidelines.
22 There is an informal system of getting
23 people into payment agreements. Let's
24 send the man down and get him into a
25 payment agreement and settle the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 foreclosure. What he was told was, first
3 time, come back with letters of
4 administration and a will. When he did
5 so, he was told, I'm sorry, you're not
6 the record owner, we can't do this.
7 That's one of the issues I want to talk
8 about, is that we have this inconsistent
9 information floating out there. So that
10 somebody who is in fact right now making
11 good-faith payments is unable to just get
12 into an agreement, be done with
13 litigation, let the man pay off his tax
14 debt. He's proven he'll do that.

15 COUNCILMAN GREENLEE: Yeah.

16 MR. WILSON: Now, to jump ahead
17 to my testimony, and I'll keep this very
18 quick. Perfect point. It's not that we
19 don't offer homeowners help. It's not
20 that the Revenue Department doesn't offer
21 agreements. It's that there's no real
22 formal system.

23 It's gotten steadily better. I
24 have to give the Mayor credit. I have to
25 give the Commissioner credit. There was

1 3/20/13 - WHOLE - RES. 130088, etc.
2 a time when I started doing this work
3 when all agreements were verbal. I
4 suspect very much that's what Mr. Kane
5 was in. They have moved steadily towards
6 written agreements. There was a period
7 where people were getting into single
8 one-page agreements that said \$50 a
9 month, a hundred dollars a month and then
10 entered a consent judgment against them.
11 I have problems with that if they don't
12 have a lawyer to consult.

13 The City has now moved to where
14 you can get into an installment payment
15 agreement under what are known as the
16 guidelines, which is a set of
17 negotiations that we helped negotiate
18 with the two co-counsels for the City,
19 Linebarger and GRB, several years ago.

20 The guidelines are extensive.
21 Linebarger worked with us on them
22 extensively. They're actually quite
23 good, but they're not law. So what we
24 end up with is, the guidelines get
25 followed when the City feels like it, and

1 3/20/13 - WHOLE - RES. 130088, etc.
2 the parts that they don't like -- and one
3 of the parts that's in the guidelines is
4 you don't have to be the record owner.
5 If you can show chain of title, you can
6 get into an agreement. City Revenue has
7 just chosen not to adopt that part. I
8 understand that as a matter of policy.

9 First things first, why am I
10 here today? We need a statute that sets
11 up a single, unified, consistent,
12 non-neglectable in the sense of we don't
13 need another agreement that will work
14 with people and then two years from now,
15 when no one is looking, the policies
16 change. We need a law that says you will
17 get into an agreement. Here are the
18 terms. You will pay this much. You will
19 owe this much.

20 Obviously I love the
21 Councilwoman's proposal to have some kind
22 of forgiveness of principal. All I'm
23 proposing in this bill is if a person
24 like Mr. Kane pays off a hundred percent
25 of their principal first, on the back

1 3/20/13 - WHOLE - RES. 130088, etc.
2 end, only once they've shown those
3 good-faith payments, they'll be forgiven
4 some percentage of penalties and
5 interest. We geared it so that as your
6 income is less, you get more forgiveness,
7 but only once you pay off that principal
8 in full.

9 If we can set that up as a
10 consistent, uniform system that's out
11 there by statute so that no matter which
12 agency you're dealing with, whether it's
13 the Law Department, whether it's the
14 Revenue, whether it's co-counsel for the
15 City, that will go a long way towards
16 giving people the impression that the
17 City plays fair, setting up uniformity
18 across the system and giving people a way
19 to dig themselves out of this debt.

20 The amnesty programs didn't
21 work for people like Mr. Kane because
22 they don't have \$3,000 to come up with as
23 a lump sum. They need time to pay that
24 debt off. If we can get this bill in
25 place, it will be a huge step forward.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 My last comment and the other
3 piece of the bill is that we need to
4 also -- we've heard a lot about siloing.
5 We need to be able to send people like
6 Mr. Kane to housing counselors who
7 already know how to work with people who
8 are facing foreclosure problems. We have
9 a system in place right now. We don't
10 need to invent it from ground zero. We
11 have the Save Your Home Philly Hotline.
12 The tax department and the City need to
13 simply move slightly to the left and
14 adopt those same systems. Let's get
15 people to counselors to get into
16 agreements. Let's get the hotline number
17 out there as the tax hotline number.
18 That will up the collection rate.

19 What's one of the goals we've
20 heard about through and through? We need
21 to increase the rate of collection. This
22 won't be enforcement. This will be
23 people who are in agreements and paying.

24 COUNCILMAN GREENLEE: Just so
25 I'm clear, so the record is clear, when

1 3/20/13 - WHOLE - RES. 130088, etc.
2 you're saying "that bill," you're talking
3 about the bill that the Finance Committee
4 passed a couple weeks ago?

5 MR. WILSON: Bill 120059. My
6 apologies.

7 MS. SELDIN: 54.

8 COUNCILMAN GREENLEE: 54.

9 MR. WILSON: 54. That is the
10 installment payment agreement.

11 COUNCILMAN GREENLEE: Because
12 there's a lot of bills floating around.
13 I just want to make sure --

14 MR. WILSON: That should be
15 clear for the record.

16 The last piece, because
17 obviously at some point someone is going
18 to say, You're giving deadbeats another
19 break? These people need to pay. This
20 bill sets out a one-and-done rule. Yes,
21 this is a fair agreement. Yes, I want
22 people to get to housing counselors.
23 Yes, I want people like Mr. Kane to be
24 able to get some forgiveness of penalties
25 and interest. But if you can't keep this

1 3/20/13 - WHOLE - RES. 130088, etc.

2 agreement, if you don't pay your current
3 taxes at the same time, strike.

4 COUNCILMAN GREENLEE: It's a
5 carrot and a stick approach. Absolutely.

6 MR. WILSON: And at that point,
7 the rest of the conversations you've been
8 having for two days would come into play.

9 COUNCILMAN GREENLEE: I got
10 you.

11 MR. WILSON: I think that's a
12 fair proposition.

13 Thank you.

14 COUNCILMAN GREENLEE:
15 Ms. Seldin.

16 MS. SELDIN: Stefanie Fleischer
17 Seldin, Managing Attorney at Philadelphia
18 VIP.

19 Monty spoke pretty eloquently,
20 but I did want to add a couple points.

21 Philadelphia VIP provides free
22 legal services to the poor by connecting
23 our low-income clients to free legal
24 services through private attorneys that
25 work with our low-income clients on a pro

1 3/20/13 - WHOLE - RES. 130088, etc.
2 bono basis. In order to access those
3 services, I just want to let you know how
4 low income these folks are who come to
5 us. A single person must earn below
6 \$22,980. For a family of four, the
7 threshold is \$47,100.

8 I first want to thank
9 Councilman Henon for requiring my
10 testimony today and also for -- what do
11 you call yourselves -- the Freshmen 6 for
12 their interest in tax fairness and to
13 also introduce myself to you and to what
14 tangled title is, because I assure you,
15 you will be calling me.

16 The tangled title is basically
17 three different things. One is like
18 Mr. Kane where the record owner is a
19 deceased relative. Two are lease
20 purchases, also known as rent-to-own
21 agreements where the owner somehow
22 disappears or won't cooperate at the end
23 of the deal. And the third, as the
24 Councilman knows very well, is fraudulent
25 deed transfers. So that is our area of

1 3/20/13 - WHOLE - RES. 130088, etc.
2 expertise, although VIP does handle all
3 civil legal services with our private
4 attorneys.

5 I would be remiss in not
6 thanking Council for supporting our
7 services. The small but significant
8 amount that you give us allows us to
9 serve 375 clients that we have currently
10 and 175 new ones each year, but there are
11 14,000 tangled titles in this city. I
12 provided you with a map with a zip code.
13 There's a pinpoint map. You can check
14 out your own district. Patrick Kerkstra
15 was nice enough to run the numbers for
16 us. About 3,000 of those tangled title
17 properties are tax delinquent. So we
18 base an enormous back load -- we have a
19 waiting list now.

20 One of the concerns I want to
21 point out to you, in addition to Mr. Kane
22 and Monty's concern about the consistency
23 and being able to go to either Linebarger
24 Goggan, GRB or the City and get the same
25 deal, also the fact that in making that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 deal, we had to take a poison pill, and
3 that poison pill was that after three
4 years of being on a payment plan, if
5 those equitable owners are not actually
6 record owners by the end of that three
7 years, then the deal is off and they can
8 proceed with foreclosure.

9 Now, you know, what's the
10 saying, legislation is like sausage, you
11 don't want to see it happen. So we made
12 this deal, and I personally am not happy
13 with it, but this is what we have to live
14 with, and I just want Council to know
15 that three years down the line when the
16 folks who make more than \$23,000 a year
17 and can't get my services or are on my
18 wait list or who have ridiculously
19 tangled titles that we can't even solve
20 because of the lackadaisical enforcement
21 of the City in prior years, meaning that
22 our clients are in generations, they have
23 multiple generations, like grandparents
24 who were record owners,
25 great-grandparents who were record owners

1 3/20/13 - WHOLE - RES. 130088, etc.

2 and they can't find all of these heirs,
3 and so we can't help them.

4 So really my main point coming
5 here was to make you aware that it is
6 very likely that constituents will still
7 be coming back to you even after we pass
8 Bill 120054, which I urge you today to
9 pass by the full Committee, but also know
10 that we still have work to do to keep
11 these people who want to pay in their
12 homes.

13 Thank you for having me.

14 COUNCILMAN GREENLEE: Thank
15 you.

16 Councilman Johnson, you had a
17 question?

18 COUNCILMAN JOHNSON: Yeah.

19 Thank you for your testimony.
20 On average, how many cases that you deal
21 with in terms of tangled deeds?

22 MS. SELDIN: So every year we
23 have 175 new clients and we have an
24 ongoing basis of about 375.

25 COUNCILMAN JOHNSON: Three

1 3/20/13 - WHOLE - RES. 130088, etc.
2 hundred seventy-five?

3 MS. SELDIN: So right now it's
4 around 500.

5 COUNCILMAN JOHNSON: All right.
6 And the other part of my -- the other
7 statement I just wanted to say was thank
8 you for your testimony, first and
9 foremost. You know, the other flip side
10 to -- and I know Mr. Chairman talked
11 about not intertwining AVI in the midst
12 of this conversation because this is a
13 tax fairness or tax collection hearing,
14 but the reality is, if we weren't
15 proposing AVI, we wouldn't be having this
16 conversation. And so it very well is a
17 part of why we're hosting these hearings
18 and something I'm very conscious of and
19 sensitive to just by working with people
20 on the grassroots level, rather it's out
21 in the community or constituent
22 service-wise, is that people are
23 vulnerable. I don't even want to use the
24 word "vulnerable." People who need the
25 support the most don't get caught up in

1 3/20/13 - WHOLE - RES. 130088, etc.
2 this aggressive approach to make sure we
3 collect revenue at the end of the day
4 through taxes. And my focus is more on
5 the individual who owns several
6 properties, isn't paying their fair
7 share, and they have the opportunity to
8 continue to bill and profit, but yet
9 still owe the City taxes.

10 But this is a very critical,
11 important issue that we deal with on a
12 regular basis. We always are referring
13 someone to Philadelphia Unemployment
14 Project for counseling. And even if we
15 can't get an answer there, I will send my
16 staff down to Councilwoman Blackwell's
17 office to get additional support as it
18 relates to making sure that individuals
19 are protected in this context, because
20 you do meet a lot of people who do want
21 to pay their bill and for whatever
22 particular reason got caught up in the
23 system.

24 But that lack of uniformity is
25 key, and it is a starting point. So

1 3/20/13 - WHOLE - RES. 130088, etc.
2 hopefully that bill will get passed and
3 the Administration can understand,
4 because they have some pushback on it,
5 but they will actually understand the
6 need to make sure that we have a uniform
7 process. And really it's not based upon
8 who you know, to be quite frank with you,
9 and that will determine what type of
10 agreement you'll get. If you break the
11 agreement and you'll get a break as
12 opposed to -- and even, to be quite frank
13 with you, if the Sheriff's Office going
14 to come out and take your home, you know.
15 But there's nothing set in stone in terms
16 of the guidelines.

17 And so if nothing else, I just
18 wanted to thank you for coming out to
19 also put, you know, a real human
20 component on this whole tax collection
21 issue as well, because we have people who
22 are following the law who want to stay in
23 their homes and get caught up in the
24 midst of a lack of policy, progressive
25 policy, that we're putting out.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 So thank you.

3 MS. SELDIN: Thank you,
4 Councilman Johnson. I just want to add
5 that I have to applaud the Department of
6 Revenue and the City and Councilwoman
7 Quinones-Sanchez and Councilman Green's
8 staff who were working with us for eight
9 months on this bill, and I also want to
10 say that yesterday Frances Beckley said
11 that she agreed with the idea of having
12 uniformity for entering hardship payment
13 plans. So I would call on the
14 Administration not to wait for that bill
15 to be passed since it's already on the
16 record that they support it and it's
17 within their power.

18 So I couldn't let the
19 microphone go away without putting that
20 on the record.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 MR. WILSON: She seems nicer
24 than I am, but really she has an agenda.

25 I'd like to speak to the

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Councilman's comment about AVI and how it
3 connects to the --

4 COUNCILMAN GREENLEE: Please.

5 MR. WILSON: If I could for a
6 minute.

7 It really comes down to two
8 points. One, we are seeing obviously a
9 sharp increase of people coming into CLS
10 and PLA's office panicked about their AVI
11 notice. They all got the notice that
12 shows the dramatic increase. They don't
13 know what it means. They don't
14 understand that the rate will drop. They
15 don't know about the AVI calculator
16 online. They come into our office, and
17 we provide that service, sitting down
18 with them and running the numbers. I've
19 actually run them with Mr. Kane to begin
20 to address that problem.

21 I believe it was you yesterday
22 who said you were at an AVI meeting where
23 it was rather brutal for you.

24 COUNCILMAN JOHNSON: Yes.

25 MR. WILSON: Passing this bill

1 3/20/13 - WHOLE - RES. 130088, etc.

2 would be a step towards that.

3 The service I've been providing
4 for my clients steadily for the last two
5 weeks is running those numbers and --
6 this is the key part -- identifying the
7 people who need to be in back payment
8 agreements on the delinquent taxes. And
9 then there is a different issue. There
10 is a small pool of people -- in Patrick
11 Kerkstra's article, he identified it was
12 about 6.6 percent of the delinquencies --
13 who are going to see their bills going
14 forward double or triple. There's going
15 to be an intersect between those two
16 groups, delinquent and my AVI bill just
17 tripled, and they don't know it's coming.
18 And the service I feel best about for CLS
19 right now is sitting down, I've
20 identified three clients for whom that is
21 going to be the biggest issue. They
22 thought they needed to take care of their
23 delinquent taxes. They don't even know
24 yet that their bill is going to triple
25 next year. I know Council is looking at

1 3/20/13 - WHOLE - RES. 130088, etc.
2 ways to do that, to address that issue.
3 The bill I've been talking about does
4 that.

5 But those are the people that
6 you need competent counselors, competent
7 lawyers to be sitting down with to figure
8 out their advice. And I will say if
9 we're going to deal with 41,000
10 homeowners sent to our offices, sent to
11 counseling agencies, we're going to need
12 funding. I have to put that right out
13 there. My boss will not go for this on a
14 free basis.

15 COUNCILMAN GREENLEE: Thank
16 you.

17 Any other questions?
18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, thank you both very much. Thank
21 you for all you do.

22 We have two more panels here,
23 so we're going to try to move quickly,
24 because we're already almost at the time
25 we said we were going to break.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Darrell Zaslow, Victor

3 Pinckney, Chris Sawyer, Chris Somers.

4 (Witnesses approached witness
5 table.)

6 COUNCILMAN GREENLEE: And this
7 is a recording, but I know we have
8 testimony from you, written testimony.
9 So please if you could just summarize,
10 and then if there's any questions. Thank
11 you.

12 MR. SAWYER: My name is
13 Christopher Sawyer. Happy spring, first
14 day of spring. We'd rather be outside
15 right now.

16 I run a blog called
17 philadelinquency.com, the Underbelly of
18 Real Estate, and primarily the topic that
19 that website discusses is what we've been
20 talking about here yesterday and all day
21 today, and the topic of tax delinquency
22 is very near and dear to me. I actually
23 rented a house in Philadelphia for three
24 years that was owned by a tax delinquent,
25 and he's still delinquent, and I actually

1 3/20/13 - WHOLE - RES. 130088, etc.
2 sued that landlord over a deposit
3 dispute, and he knows any second that
4 when his liens get up to \$2,500, I am
5 going to try to push that house to
6 Sheriff Sale with an \$800 deposit.

7 I released some data earlier
8 this week. And it's not from the
9 Department of Revenue; it's basically
10 information that I programmatically
11 extracted out of the Department of
12 Revenue's own website. I was kind of --
13 I wasn't surprised by the Controller's
14 testimony earlier today or just a few
15 hours ago about he was complaining about
16 Revenue being a black box. That's a very
17 big understatement. They're very adamant
18 about not disclosing anything that they
19 don't have to. Revenue performance is
20 probably one of the most critical things
21 that they do need to disclose, and you
22 can't really trust the numbers. And when
23 I -- I've downloaded almost every single
24 OPA account and the revenue data for it
25 and have published it, and I have also

1 3/20/13 - WHOLE - RES. 130088, etc.
2 distributed some statistics to you this
3 morning about what the penetration is in
4 your Council districts for payment plans
5 on payment agreements.

6 From what I found out, there
7 are 578,984 parcels that OPA is currently
8 tracking. The number of total liens that
9 the Revenue Department has recorded
10 against properties is 702,144 liens. The
11 total number of OPA accounts that have a
12 lien present, whether it's a viable lien
13 or non-viable lien, is 98,989. And out
14 of those, the number of properties that
15 have liens that have a payment plan or
16 installment agreement similarly indicated
17 on the account is 10,441.

18 For the tax year 2012 -- that's
19 the last fiscal year that the Revenue
20 Department was able to apply liens on
21 accounts -- the number of OPA accounts
22 that had liens tacked on to them was
23 94,950, for a principal balance of \$78.1
24 million for Fiscal Year 2012.

25 I think some Councilmembers

1 3/20/13 - WHOLE - RES. 130088, etc.

2 here recognize something that I had
3 produced last year that was trying to
4 look at landlords who had an active
5 housing license with the Department of
6 Licenses and Inspections who are also
7 sitting on a property that had liens
8 attached to the OPA account, and I had
9 tallied that figured upwards of \$12
10 million. So those are individuals who
11 are generating income from their property
12 and yet are not paying the City the
13 amount that it's due.

14 The spreadsheet that I
15 distributed to you that you should
16 probably have, there is maybe about 50
17 properties that are misplaced in the
18 bucket. If you recognize the zip code
19 that doesn't belong in your district,
20 it's because of a geocoding error, but
21 for the most part, the figures on the
22 very last column are correct. And one of
23 the most striking things that I just
24 noticed -- and I had produced this
25 yesterday -- is in District 9, zip code

1 3/20/13 - WHOLE - RES. 130088, etc.
2 19150 has the number of property tax
3 accounts that have some form of lien or
4 delinquency on them. The number of
5 payment agreements and installment
6 agreements, the penetration ratio there
7 is 67 percent. That's higher than
8 anywhere else in the City. 19150 is West
9 Oak Lane. West and East Oak Lane have
10 some of the best, phenomenal performance
11 for people getting on payment agreements
12 in tax liens. I strongly suggest that
13 the entire Revenue Department get on a
14 bus and go on Ogontz Avenue and find out
15 what is in the water up there, what's
16 going on. Because there's something that
17 has caused that to happen.

18 It's very interesting, and I've
19 only discovered it maybe about 24 hours
20 ago. If that was applied to a lot of
21 other areas of the City, when you go to
22 talk to your constituents about AVI later
23 on this month and the next month and the
24 next month after that, if there was more
25 payment -- if the payment agreement and

1 3/20/13 - WHOLE - RES. 130088, etc.
2 installment agreement ratios were up at
3 that level for most of your districts,
4 most constituents should be, What is AVI?
5 What is that? I heard something about
6 the news about that. Instead of what
7 you're hearing right now, which is the, I
8 guess you could say, the thunderous
9 applause last week from Mayor Nutter's
10 budget address opening up the budget
11 season here in City Council. It's a
12 trifecta, right?

13 So we have -- you have the City
14 unions are upset. That's because the
15 Administration is constricted on where
16 they can move money around in the budget
17 because revenues are constricted. That's
18 one aspect of it. Then the other aspect
19 of it is the SRC funding crisis that has
20 been ongoing for years now. That's not
21 going to go away. And I feel really
22 sorry for the School District, because
23 those folks need the revenue the most.
24 They collect -- 54 percent of the revenue
25 goes to the School District, yet they

1 3/20/13 - WHOLE - RES. 130088, etc.
2 actually have zero control over the
3 process of collections or the performance
4 of how it happens. So they have their
5 hands tied behind their back. And then,
6 of course, the last one is AVI, and as
7 the Councilman for the 4th District has
8 mentioned and it's been playing on the
9 radio all day today is, he got an AVI
10 butt whooping.

11 So with that, I'll pass it to
12 Mr. Zaslow.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 Whoever.

16 MR. PINCKNEY: I'm Victor
17 Pinckney, First Vice President of HAPCO.
18 I will be very brief, because I feel that
19 our attorney, Darrell Zaslow, has some
20 ideas thinking outside of the box about
21 how to handle some of these
22 tax-delinquent properties that would be
23 very instrumental.

24 I'll say this: One of the
25 things we do know, that delinquent tax

1 3/20/13 - WHOLE - RES. 130088, etc.
2 real estate causes blight in
3 neighborhoods. I'm not talking about
4 hard-working individuals who maintain
5 their properties who may have, through
6 some financial problem, have fell behind
7 on their real estate taxes, either
8 owner-occupied or rental properties. I
9 believe that something should be done as
10 far as helping them to be able to get to
11 pay -- to allow them to pay the money
12 that's owed without receiving huge
13 penalties and interest rates. This is
14 for owner-occupied and rental properties.

15 With the rental properties, you
16 could -- if you want, you can ask for the
17 last year's income for the property or
18 whatever the current income for the
19 owner. By doing this, you can also ask
20 that they have to make sure they have a
21 rental license, which will be another
22 quiver -- another bow -- another arrow in
23 the quiver of the City's quest to find
24 unlicensed landlords.

25 And for those owners who just

1 3/20/13 - WHOLE - RES. 130088, etc.
2 totally ignore the responsibility to pay
3 their real estate taxes, something must
4 be done. They have a negative effect on
5 the City coffers and property values.
6 These buildings are usually a drain on
7 City resources; namely, the Police, L&I,
8 and the Water Department. As I said,
9 they affect the property value and living
10 conditions of their neighbors.

11 There must be a method to allow
12 the City to take possession or control of
13 properties in a timely manner. This
14 allows the City to give the delinquent
15 property to potential homeowners,
16 investors or some other means of control.
17 They could be done through existing and
18 proposed laws and maybe some serious
19 thinking of outside of normal
20 methodology.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 Mr. Zaslow, before you go on,
24 let me see who else is here that I have
25 on the list.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Joel Palmer, Rick Vanderslice,
3 are they here? Okay.

4 Lynette Correa.

5 MS. CORREA: Right here.

6 COUNCILMAN GREENLEE: I'm
7 probably going to mess this up really
8 badly. German Parodi.

9 MR. PARODI: Here.

10 COUNCILMAN GREENLEE: How bad
11 did I do?

12 MR. PARODI: Not bad.

13 COUNCILMAN GREENLEE: And
14 Rashida Ali-Campbell.

15 They're all still here, okay.

16 I'm sorry, Mr. Zaslow. Please,
17 go ahead.

18 MR. ZASLOW: Thank you,
19 Mr. Chairman. Darrell Zaslow. As
20 Mr. Pinckney said, I am the legal counsel
21 for HAPCO, the Homeowners Association of
22 Philadelphia.

23 Mr. Chairman, we have attempted
24 to contemplate with you and for the
25 benefit of the City the legalities of why

1 3/20/13 - WHOLE - RES. 130088, etc.
2 it is that the revenue collections are
3 basically not going well, and I want to
4 suggest to you and our purpose in
5 appearing today is a closer examination
6 of the State of Pennsylvania statute
7 which governs these matters.

8 The statute provides that
9 foreclosure of the properties for tax
10 sale is a major weapon to be used, but as
11 you heard yesterday and you know without
12 being told, the foreclosure process does
13 not work on so many levels. You heard
14 your officials here yesterday telling you
15 that they can't foreclose because they
16 have to send out 29 notices to different
17 entities. To take away property forever
18 from somebody is a very strenuous matter
19 which the law looks upon as requiring the
20 highest level of due process.

21 Now, there is another statutory
22 vehicle that I am not clear as to why it
23 is not used and used more or used at all
24 here in the City of Philadelphia, and
25 that word is "sequestration." Everyone

1 3/20/13 - WHOLE - RES. 130088, etc.
2 has heard sequestration because on the
3 federal government level, they're
4 sequestering money out of the budget
5 because President and Congress has, of
6 course you know, couldn't agree, so
7 automatically they're sequestering taking
8 money out of the budget.

9 In the courtroom, we sequester
10 witnesses who need to be taken out of the
11 courtroom because they can't hear what
12 the judge and the lawyers need to talk
13 about out of the presence of the jury.
14 We sequester a jury.

15 But in terms of Pennsylvania
16 tax collection law applying to a
17 first-class city, sequestration has a
18 different meaning, and sequestration is
19 the opportunity for a city to take
20 control of a property and collect
21 therefrom the rental or rental value of
22 the property. It is a taking of
23 possession by the City of real estate
24 which is tax delinquent.

25 You have the right to go into

1 3/20/13 - WHOLE - RES. 130088, etc.
2 your tax rolls, find those properties
3 which are delinquent, undertake the
4 procedure to obtain judgment on those
5 liens, which the Law Department obviously
6 does, and then instead of going through
7 these years of foreclosure where you're
8 fighting with people, who are they, where
9 are they, heirs, deaths, people who are
10 not in the City, people who are not in
11 this world, and you're not able to
12 foreclose or do not want to foreclose
13 because you don't want to own the
14 property, you have the legal right to
15 sequester the rental value of that
16 property.

17 The procedure is delineated in
18 the 1923 code, which was based upon 1901,
19 which came from 1818. It's been around
20 for centuries, and it is the least used
21 of weapons that a municipality has, and
22 there's a reason for it. When I suggest
23 to you that you have the opportunity to
24 sequester or take the rent or the rental
25 value from any property that is tax

1 3/20/13 - WHOLE - RES. 130088, etc.
2 delinquent, the conventional wisdom has
3 been we don't want to get involved in
4 managing properties. But when you hear
5 that foreclosure does not work and at the
6 same time you hear that you have the
7 power, the Law Department, the Department
8 of Revenue, to say we are going to send
9 our lawyers into court, we are going to
10 ask for a sequestrator to be appointed,
11 and that person has the right to simply
12 send notice to the owner of the property
13 from now on, you pay us the rent. If
14 it's one of the people who are your
15 nemesis here -- and we know who they
16 are -- we know that you can't stand
17 investors who come here, not our HAPCO
18 members who own property, live in the
19 area, work in the area, know the area,
20 but the people who come from out of town,
21 out of state, own a lot of properties,
22 and do not pay their taxes on it and yet
23 they're collecting rent. You've heard
24 testimony about that fact today. And
25 that is completely unacceptable, and you

1 3/20/13 - WHOLE - RES. 130088, etc.
2 have the remedy. You have the remedy to
3 go to court and have the judge issue an
4 order to have someone appointed to
5 collect that rent. And if the person
6 refuses to pay over the rent, then the
7 remedy is even simpler. You go in with
8 your court order. The court will send a
9 Sheriff out in 15 days to evict the owner
10 of that property or whoever is in the
11 property.

12 Now, there's a leniency for
13 homeowners who are having hard times, and
14 the City does not, we know, we hear it,
15 want to be evicting people on hard luck
16 who live in their properties. There it's
17 30 days. But I know where you're
18 looking. You're looking for repeat
19 offenders. You're looking for people who
20 own a lot of property and are not paying
21 taxes.

22 The sequestration procedure
23 allows you to become, in effect, the
24 manager of that property. Now, they
25 attempted it with a conservatorship law

1 3/20/13 - WHOLE - RES. 130088, etc.
2 out on the state level. You may have
3 heard that term used. It's a good idea.
4 It's not nearly as powerful as the simple
5 ability to walk into the Court of Common
6 Pleas, get a judgment, have a writ
7 issued, and begin to collect the rent.

8 Now, the sequestrator, whoever
9 you would appoint to manage the property,
10 is allowed to spend money on the property
11 out of the rent money. The person who is
12 collecting the rent is permitted to take
13 the money that they collect and
14 rehabilitate a property.

15 So it seems to us that you
16 could use this vehicle of sequestration
17 not only to deal with the tax delinquency
18 by bringing money in, but to effectuate
19 some change in the policy which you
20 desperately wish to do, and, that is to
21 say -- I heard the testimony yesterday
22 from the law firms, and they work hard
23 and do a great job, and they collect \$50
24 billion nationwide. They are not
25 interested in the little house in a

1 3/20/13 - WHOLE - RES. 130088, etc.
2 difficult little neighborhood which owes,
3 to them, not enough money to make the
4 procedure worthwhile, because trust me,
5 you have a \$50,000 tax delinquency or a
6 \$500 tax delinquency, it's the same legal
7 work. It's the same money that has to be
8 put up. So they're not interested -- and
9 you can't blame the City Solicitor for
10 not being interested either -- in going
11 after those properties, because there's
12 no money in it. But yet if you sequester
13 the rent, you collect the rent, you send
14 out your block captains in your
15 district -- this gentleman here looks
16 like he has the information at his
17 fingertips, Mr. Sawyer. Collect those
18 properties in your district which you say
19 we'll take those properties, we'll
20 collect the rent, we'll put a few dollars
21 in if necessary to fix them. But you
22 don't even need to do that. You can pick
23 out properties that are presently being
24 rented, rents being collected, sequester
25 the rent, and take it for yourself.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 I will tell you that this
3 procedure is also better for the
4 delinquent, because when you Sheriff Sale
5 a property, if you can ever get there --
6 and I was amazed to hear the statistic
7 yesterday that the co-counsel, as they
8 call them, these outside law firms that
9 do the job, are saying they had 2,000
10 Sheriff Sales that they accomplished
11 since they took over the job in 2004.
12 Well, somehow that doesn't sound like a
13 lot of foreclosures. Eight years and
14 they took 2,000 properties to Sheriff
15 Sale. We could take 10,000 properties
16 within six months, which are rental
17 income-generating properties, sequester
18 the rent, pay the taxes, use the rent,
19 fix the properties. On top of this, PHA
20 can have an involvement here. PHA, there
21 was an article in the newspaper where the
22 new chief, Jeremiah, has said, I have
23 150,000 people on my waiting list, some
24 extraordinary number. They're looking
25 for places to put people. So if there's

1 3/20/13 - WHOLE - RES. 130088, etc.
2 a property which for a very modest cost
3 or it's fully functioning out collecting
4 rent, collect the rent. If it's a
5 property in your neighborhood that you
6 know is maybe vacant, may be abandoned,
7 you don't need to go through all this
8 complicated title work, which is why
9 foreclosure fails.

10 Title, title, title. You heard
11 it all day yesterday. In fact, I was
12 sitting in the audience just before and a
13 gentleman who was sitting next to me,
14 Mr. Jim O'Rourke, who happens to be a
15 representative of a statewide title
16 insurance -- all of the title agencies in
17 the State of Pennsylvania, and he has
18 sitting next to him a book on tax lien
19 law, which happens to be my book that I
20 am the updater of. I'm the writer of
21 that book. He has it next to him. And
22 he has a tab in that book, which is my
23 book, that says sequestration, and it
24 describes in there that it is the least
25 utilized of all the weapons that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 municipalities have.

3 Fifty years ago, 40, 30, 20
4 years ago, you may not want to have
5 become rental managers, but you see that
6 you're not becoming property owners, you
7 don't want to own the properties. Why
8 take on the liability when you can simply
9 take on collection of the rent for this
10 very short period of time until the taxes
11 are all paid off.

12 So having said all of that,
13 HAPCO stands prepared to participate. We
14 personally -- you send out thousands of
15 cases to co-counsel trying to muscle out
16 a foreclosure. Forget the foreclosure.
17 You have mass properties on the list.
18 Send them over to our organization,
19 organizations like it, appoint it as a
20 sequestrator in order to collect the
21 rent, and give us a shot at getting
22 properties in our neighborhoods -- we
23 know where they are -- rented out,
24 collecting money, and paying it over to
25 the City, after deduction of all the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 costs that are involved in getting to
3 that spot.

4 I've listed in my testimony,
5 the written testimony, different levels.
6 Obviously a vacant lot is different than
7 an occupied property. A blighted
8 property is different than one which can
9 be made habitable with just a modest
10 expenditure. But I suggest to you that
11 in terms of a real solution, really
12 bringing in real dollars in a new way
13 that has not been done in this city up
14 until now, that this contemplation of
15 sequestration is something which should
16 be considered and that the Council and/or
17 the Mayor, whatever the combination is
18 that has to occur, by directive start
19 this procedure and start the procedure in
20 mind with fixing some of the blight that
21 you face in your districts and which is
22 so disappointing to you to have to deal
23 with on a regular basis.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Councilman Henon.

3 COUNCILMAN HENON: Thank you,
4 Mr. Chair.

5 Gentlemen, thank you for
6 hanging in there. I know it's after 4
7 o'clock and it's been a very long day,
8 but I have a few questions for you.

9 One, Mr. Zaslow -- and I
10 appreciate your love of the law there,
11 counselor, and thank you for bringing us
12 the public comment to City Council. In
13 addition --

14 COUNCILMAN GREENLEE: Yeah, we
15 really appreciate that. Thank you.

16 COUNCILMAN HENON: Come on, I'm
17 trying to humor this hearing here.

18 But you mentioned
19 sequestration. Is that what brought us
20 the managing agent in The Philadelphia
21 Code?

22 MR. ZASLOW: No, it is not.
23 Managing agent is where any owner of
24 property who wants to rent that property
25 out needs a managing agent so when you or

1 3/20/13 - WHOLE - RES. 130088, etc.
2 your administrative employees are looking
3 to find the owner, you have someone to go
4 to. This is the person who is
5 responsible for the property.

6 COUNCILMAN HENON: Isn't there
7 a provision in the Property Maintenance
8 Code where the Managing Director could
9 actually be, which is the City, the City
10 of Philadelphia could be the managing
11 agent?

12 MR. ZASLOW: There is a
13 provision, to my knowledge, without
14 having it in front of me, that if you
15 fail to provide a managing agent, the
16 City has a right to say, If you don't
17 appoint somebody, we'll appoint somebody
18 for you. That's the Managing Director.
19 We have no one to notify. We'll notify
20 the Managing Director and that's going to
21 be equivalent to notifying you, whether
22 you like it or not.

23 COUNCILMAN HENON: So I want to
24 get back to real quick three questions
25 for all of you here.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 In your opinion, what would be
3 the three top priorities in tax
4 delinquencies and the three best advice
5 and solutions to dealing with them?

6 MR. SAWYER: This is a theory
7 of mine. I have discussed it with a few
8 Councilmember staffers, and this goes
9 particularly against the VLSIPS (ph) and
10 what I call the -- it's also been called
11 in the Inquirer the property Powerball,
12 where you have vacant -- or you might
13 have an improvement on the property, tax
14 delinquent, it's causing a nuisance, it
15 is sitting there and sitting and accruing
16 the City costs. And the City has a
17 unique advantage right now, which is it's
18 pretty odd through this recession. A lot
19 of cities have been pummeled.
20 Philadelphia has seen a resurgence in its
21 inner, inner, inner city neighborhoods
22 where there has been market rate interest
23 as well as non-profits wanting to build
24 brand new housing in areas that people
25 wouldn't want to touch 15, 20 years ago.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 There are property owners that
3 sit just outside of those zones that are
4 doing this with their hands, because they
5 bought the property at a point where the
6 market was so very, very low. They
7 were -- no one really noticed the area
8 that much. Residents are complaining
9 because the properties are always causing
10 problems. The complaining gets louder as
11 more of that market rate and development
12 moves towards it. The Revenue Department
13 should -- and the Revenue Department is
14 really not the best interpreter of market
15 conditions, unfortunately, but if you
16 target areas that are just outside those
17 zones where the next neighborhood or the
18 next area that, Wow, we need to really
19 fix this up or that City block, we could
20 do something with it here, those areas
21 need examination. We really need to take
22 a look at those particular OPA accounts
23 and see what has gone on with them. Have
24 we sent them to Municipal Court eight
25 times and they have not responded? At

1 3/20/13 - WHOLE - RES. 130088, etc.
2 that point, there is going to be a market
3 for those properties, and the foreclosure
4 process is not going to work in an area
5 like Nicetown or Tioga where the market
6 rate interest, people wanting to pick up
7 those properties at Sheriff Sale, is
8 going to be lower, but if you go in like
9 East Kensington, just outside Fishtown,
10 you go in areas in South Philadelphia,
11 you go in areas in West Philadelphia, you
12 look at areas where there is -- there's
13 not a homeowner-occupied property there,
14 there is an investor, those are your
15 accounts that you take the deed away,
16 there's going to be a person at the other
17 end that's going a wake up and say, No,
18 no, no, please don't take my deed away,
19 I'll do anything.

20 We had the Kensington factory
21 fire last year. A lot of you know my
22 complaint about this. The property is
23 1817 East York Street. It caused the
24 death of two firefighters. The Revenue
25 Department entered a payment agreement

1 3/20/13 - WHOLE - RES. 130088, etc.
2 into that property. Right outside that
3 property on Arizona Street are rehabs,
4 and going just a couple more blocks down
5 past the mega lots, there is new home
6 construction going on right there. It's
7 inching closer and closer to the El, and
8 it's going closer and closer to the
9 Kensington and Somerset, believe it or
10 not. Most people won't believe it unless
11 they go out there. Those property owners
12 that are sitting there, the mega lots in
13 Kensington are mostly privately owned, a
14 lot of it is privately owned. They make
15 sure to pay their taxes. They're waiting
16 for that Powerball hit to strike. Those
17 are your properties you want to look at
18 for is it causing the City any discomfort
19 whatsoever. If it is, have L&I sick it,
20 take it. Take it, sell it at market
21 rate, put it in the hands of a private
22 market developer, the non-profit that
23 wants it to build housing, the community
24 garden, the side lot, whatever.
25 Accelerate the process of recycling

1 3/20/13 - WHOLE - RES. 130088, etc.
2 property where we know we can speed that
3 up and get it faster. Because once you
4 have that tree ring built, then there's
5 the next tree ring and the next and the
6 next and the next, and at the same time,
7 you'll be able to collect more revenue,
8 distribute those resources to where the
9 City thinks it should spend it best. And
10 I know we have lots of different crises
11 going on. That is probably one of the
12 best strategies that the City could do.
13 The Revenue Department could start that
14 project today. We probably wouldn't even
15 have to discuss the other two, but I'll
16 go ahead and pass it over.

17 MR. PINCKNEY: I would say,
18 first off, act sooner. You have a lot of
19 neighborhoods today he was speaking of
20 that are being recycled. Before those
21 neighborhoods were down, they were
22 homeowners, working neighborhoods. They
23 were income revenue-producing
24 neighborhoods. Started with one
25 property. Something went wrong.

1 3/20/13 - WHOLE - RES. 130088, etc.
2 Somebody died, didn't pay a bill, left.
3 The property became vacant. The guy next
4 door decided he didn't want to be there
5 anymore. Next thing you know, you have a
6 blighted block. Blighted block, blighted
7 neighborhood.

8 I'll give you a perfect
9 example, 1300 block of Myrtlewood Street
10 in Brewerytown. That's where I grew up
11 at. That block around the corner -- my
12 mother's house is still right on the
13 corner. That block there looks like a
14 combat zone. I remember as a kid running
15 up and down the street, playing, knocking
16 on people's doors. The block was a
17 hundred percent occupied.

18 Something must be done. You
19 must react sooner. And also today and
20 yesterday you were hearing -- when these
21 people are tax delinquent, you hear about
22 legal fees, the penalties, the fines.
23 Granted, okay, you're saying some
24 instances you forgive them. How about
25 just making a fair market penalty? If

1 3/20/13 - WHOLE - RES. 130088, etc.
2 someone -- if they are past due,
3 whatever, a 3, 4, 5 percent penalty,
4 because all you're doing is compounding
5 the principal.

6 And I guess that's pretty much
7 it, but the main gist of it is that you
8 must act sooner. And it seems to be
9 everyone is talking about these
10 neighborhoods that are up and coming.
11 There are a lot of neighborhoods out
12 there that investors or homeowners are
13 not going to try to go into.

14 MR. ZASLOW: Councilman Henon,
15 if I may, if you look at my testimony,
16 you'll see a transcript from 2010, and
17 other than Councilman Greenlee sitting as
18 Acting Chair here, none of the rest of
19 the Councilpeople in the Chamber were
20 even here the last time that we had these
21 identical hearings. Read the transcript.
22 The same hearings. A few of the
23 characters changed and their testimony,
24 who they were. The same hearing, the
25 same problems, the same issues, the same

1 3/20/13 - WHOLE - RES. 130088, etc.
2 diligent work by the Administration to
3 try to do better, promising to do better.

4 I would like to see something
5 done for real, Councilman. We are here
6 with a potential solution, which we just
7 don't want to see people say, Well,
8 that's an interesting thing, and then
9 move on. If there's a solution here that
10 you are being told -- and I ask you to
11 ask the Law Department and speak with the
12 Revenue Commissioner, who I've been
13 e-mailing about these matters since he
14 testified here yesterday to get his take
15 on it, and you will see this is a viable
16 vehicle.

17 You have a land bank proposal
18 which is percolating here somewhere. It
19 fits hand in glove with this idea of
20 having rent collected by the land bank
21 and turned over to the City. It's hand
22 in glove.

23 So you're asking for three
24 ideas. Today I only have one, and it's
25 barely one, and that is sequestration.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 I'd like to see somebody do something to
3 say let's see if we can institute some
4 procedure that will really make some
5 change, so two years from now, we're not
6 sitting here again with the same
7 conversation, which is difficult.

8 There's no solution which solves
9 everything, including this, but it can
10 be, and I submit to you should be, a
11 piece of the puzzle, which is why we're
12 taking the time to be here. The research
13 to present this to you was rather
14 extensive. I think it can be done. I'd
15 like to see the Administration say why it
16 can't or shouldn't. I'd like to see
17 Council say that it should and try to
18 move it forward to some fruition.

19 COUNCILMAN HENON:

20 Mr. Chairman, I'm going to end with, this
21 is why we have these hearings, you know,
22 to have these kind of discussions and
23 conversations in the public, transparent,
24 with ideas and solutions.

25 In your opinion, Mr. Zaslow,

1 3/20/13 - WHOLE - RES. 130088, etc.

2 why haven't we used the sequestration
3 tool that we have?

4 MR. ZASLOW: There's a good
5 reason. Because the conventional wisdom
6 is, we don't want to manage real estate.
7 But now the world has changed. You may
8 not want to manage real estate. You wish
9 everybody would just pay their taxes.
10 You didn't have to think about it. You
11 do not want to become the owner of
12 properties, because when you are the
13 owner, it has nothing but more blight
14 that the City is responsible for. So
15 people would say, We don't want to get
16 involved in collecting the rent. But now
17 that foreclosure has become such an
18 unworkable option for so many properties
19 and it's causing blight in neighborhoods
20 by failing to utilize the foreclosure
21 process where it's going to do the most
22 good to help neighborhoods -- we're doing
23 it for the most good to make money, which
24 is good, but it can be used for social
25 correction of these blight problems,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 which is impacting our society.

3 It hasn't been used because
4 it's cumbersome initially to even think
5 about it, but it can be done. I stand
6 here telling you that we will
7 participate. The Revenue Commissioner I
8 think may be on board with this.

9 I heard yesterday 22,000 houses
10 here written off and 58,000. We throw
11 around tens of thousands of houses and
12 tens of millions of dollars, and here's
13 an opportunity to address some number of
14 thousands of properties and collect some
15 number of money and improve the City I
16 think at the same time.

17 So it hasn't been done because
18 nobody thinks about it, and over at the
19 Administration, they're frankly too busy
20 dealing with the fires that are burning
21 with everything else they're dealing with
22 to have the luxury of thinking about some
23 new solution, which is where we come in
24 to help think through it if we can be of
25 service.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Councilman Oh.

5 COUNCILMAN OH: Thank you very
6 much, Mr. Chairman.

7 Mr. Zaslow, in line with what
8 you're saying -- and I'm not saying we
9 shouldn't be the first to do it, but has
10 any other jurisdiction implemented
11 sequestration, to your knowledge?

12 MR. ZASLOW: The City of
13 Philadelphia exercises the remedy, as I
14 understand it, when it comes sometimes to
15 U&O which is unpaid. And if you ask your
16 City Solicitor about it -- in fact,
17 Ms. Smith was here at the 2010 hearings.
18 She said specifically that the use of
19 sequestration for the U&O has been the
20 most successful thing they've done.

21 Now, sequestering for U&O is an
22 easier thing. It's more of a ministerial
23 thing than a change of policy for this
24 Council to dictate, No, we will collect
25 5,000 properties which are collecting

1 3/20/13 - WHOLE - RES. 130088, etc.
2 rent but are delinquent in our taxes and
3 let the land bank or some other entity,
4 PHA, HAPCO, whoever, all of us involved
5 together, to put together the working
6 mechanism to be able to actually utilize
7 the property.

8 The City Solicitor says, Pay us
9 or else, and with U&O, people seem to
10 pay, but with real estate taxes, they
11 don't. Trust me, my -- not my clients in
12 HAPCO, but I'm a lawyer in private
13 practice. People dodge and weave all
14 over the place. That's what the law is
15 about. You have to be smarter, and this
16 is one way to do it.

17 COUNCILMAN OH: One follow-up
18 question. So suppose that we look at the
19 sequestration and there's really truly a
20 viable option for the City. With your
21 knowledge of the real estate practices,
22 is that something that it appears best
23 that the City Administration administrate
24 or is that something that should be best
25 for the taxpayers and more effective if

1 3/20/13 - WHOLE - RES. 130088, etc.
2 outside counsel or other organizations or
3 real estate associations are engaged to
4 collect the funds?

5 MR. ZASLOW: Exactly as with
6 the foreclosure, you can go either way
7 which, in your legislative judgment, is
8 most appropriate, and both ways. You can
9 have the sequestrator be a third party.
10 You can have the City do it itself. You
11 are in control of the process to decide
12 who should be doing it. But the answer
13 is both.

14 And in terms of is there a
15 market for rental property, if the City
16 is able to have rental property and
17 collect rent, oh, there is a market. Oh,
18 yes, there is. And can the gentleman
19 sitting to my right, Mr. Pinckney, who
20 manages property, if we said to him, Can
21 you manage X number of dozens of
22 properties, can you handle three more
23 properties, with a commission that is
24 paid by the rent, and the City gets every
25 dollar that they get plus the commission,

1 3/20/13 - WHOLE - RES. 130088, etc.
2 is he going to say, Well, sure, I'm
3 managing 46 properties, I'll take ten
4 more and I'll manage it and I'll make a
5 commission. That's the way the law
6 works. Or the City can do it itself with
7 and through a land bank. And I'm
8 suggesting PHA. They manage a hundred --
9 I don't know how many units they manage.
10 They're the biggest landlord in the State
11 of Pennsylvania. They manage properties.
12 That's what they do every day. There's
13 no reason why they can't be appointed in
14 some way. We're giving you 297
15 properties or thousands of properties,
16 put them in your mix, collect the rent.
17 That's what they do.

18 COUNCILMAN GREENLEE: All
19 right. If you could be quick, because we
20 have five more people that want to speak.
21 Please be brief.

22 MR. SAWYER: I just want to add
23 for one quick point on what Mr. Zaslow
24 said. What he's proposing definitely is
25 something that needs to be looked at in

1 3/20/13 - WHOLE - RES. 130088, etc.
2 areas where especially in the data in
3 Brewerytown and in Point Breeze
4 particularly, where there's a heavy
5 amount of absentee rental property
6 present that is causing a problem. And
7 also the City has been very reluctant to
8 do in-fill development for housing.
9 Mostly what the City prefers to do is to
10 obliterate a block or find a completely
11 empty block and erect housing there,
12 whereas they'll still leave hundreds of
13 blocks sitting around that look like
14 gapped teeth.

15 This type of process could be
16 targeted toward saving properties before
17 they destroy themselves and you're going
18 to have to spend the 10,000 bucks to tear
19 it down.

20 COUNCILMAN GREENLEE: Thank
21 you. Thank you for your time. Thank you
22 for hanging in there.

23 Our last group of witnesses,
24 the names I said before, Joel Palmer,
25 Rick Vanderslice, Lynette Correa, German

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Parodi, Rashida Ali-Campbell. If you
3 could all come up together, please.

4 (Witnesses approached witness
5 table.)

6 COUNCILMAN HENON:

7 Mr. Chairman?

8 COUNCILMAN GREENLEE: Yes,
9 Councilman.

10 COUNCILMAN HENON: Before the
11 last panel starts their testimony, I just
12 want to thank them for your patience and
13 apologize for the delay. It's been a
14 long day, a long two days, trying to
15 discuss tax delinquencies. And there'll
16 be plenty of time in the upcoming weeks
17 to discuss land bank in its full detail.
18 So hopefully we can get back to having
19 those conversations. But I want to
20 apologize for the delay and thank you for
21 hanging in there.

22 COUNCILMAN GREENLEE: Please,
23 identify yourself and proceed. Again, I
24 don't know if we have written testimony
25 from you, but if you do, that will be

1 3/20/13 - WHOLE - RES. 130088, etc.
2 made part of the record, so please
3 summarize.

4 MR. VANDERSLICE: Good
5 afternoon, Council. My name is Richard
6 Vanderslice. I'm a private attorney in
7 practice in South Philadelphia, 1445
8 Snyder Avenue.

9 MR. PALMER: My name is Joel
10 Palmer. I'm President of Scioli Turco,
11 Inc., a 501(c)(4) not-for-profit for
12 rehabilitating houses under Act 135.

13 COUNCILMAN GREENLEE: Please
14 proceed.

15 MR. VANDERSLICE: Thank you,
16 and thank you for the opportunity to
17 speak here today about how Act 135 can
18 both increase the revenue to the City by
19 bringing tax-delinquent properties back
20 onto the roll as well as collecting the
21 past due taxes.

22 Briefly, Act 135 allows the
23 court to appoint a conservator to take
24 control of a property and rehabilitate it
25 upon a showing of certain indices of

1 3/20/13 - WHOLE - RES. 130088, etc.
2 blight as well as vacancy and
3 abandonment. Generally, these properties
4 are shown to be a public nuisance,
5 attractive to either harm to the
6 community, children or fire traps. We've
7 all seen them on blocks here in
8 Philadelphia.

9 Once the conservator has taken
10 control of the property, the court
11 supervises its rehabilitation and the
12 conservator, upon out sale of the
13 property, can recover the amounts that
14 are put into it by a lien on the property
15 that is satisfied once it's sold again
16 with court supervision.

17 First, I would like to
18 recognize that the Department of L&I has
19 been very helpful with private developers
20 that I've represented in implementing
21 this Act and providing support as far as
22 collecting evidence to present to the
23 courts. Specifically, Maura Kennedy and
24 Rebecca Swanson have been quite helpful.
25 And one of my recommendations to the

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Council would be to add a number of the
3 inspectors to help facilitate bringing
4 the violations to the attention of the
5 community as well as the courts.

6 Act 135 is better than a
7 Sheriff Sale in a couple of respects.
8 One, it allows the court to supervise the
9 rehabilitation of the property. You
10 don't have the problem of the person
11 purchasing it to sit on the property
12 hoping to reap some reward down the line.
13 As I mentioned, once the property is
14 rehabilitated, the tax delinquencies will
15 be satisfied upon the out sale, saving
16 the City the resources of employing the
17 Solicitor to collect and any payments to
18 the tax collection firms that represent
19 the City in these matters.

20 I would also like to take the
21 opportunity to mention that
22 Representative Taylor has submitted
23 written testimony, which as far as the
24 portions that relate to Act 135, I would
25 just piggyback on that and ask that it be

1 3/20/13 - WHOLE - RES. 130088, etc.
2 adopted.

3 Finally, I'd like to introduce
4 Mr. Palmer, who is a client that has put
5 this Act to use and formed a non-profit
6 that is actively working to rehabilitate
7 these properties.

8 One of the asks that we would
9 have is that the Council consider
10 legislation that will abate at least
11 penalties and interest on properties that
12 are subject to Act 135 conservatorships.
13 This will allow additional properties to
14 be workable under this regimen. A lot of
15 properties that are blighted and vacant
16 in the City, just with the enormous
17 amount of penalties and interest at least
18 and the tax delinquencies, make the
19 numbers unworkable. If we could count on
20 having penalties and interest abated, it
21 would bring a number of properties that
22 would be subject to the Act into the
23 ability of private developers to
24 rehabilitate them under the Act.

25 And with that, I'd turn it over

1 3/20/13 - WHOLE - RES. 130088, etc.
2 to Mr. Palmer.

3 MR. PALMER: Thank you very
4 much, and out of respect for the
5 Council's time and other witnesses, I'm
6 going to keep my remarks brief and I will
7 submit my written comments for the
8 record.

9 Our organization was formed
10 specifically to use Act 135 on blighted
11 properties, starting in Bella Vista about
12 three or four years ago. To date, we
13 have rehabilitated five properties, with
14 a market value of over \$1.64 million,
15 resulting in, for instance, transfer
16 taxes paid to the City of over \$50,000 on
17 the sales as well as all arrears on the
18 properties, including over 15,000 in
19 water bills and gas bills and over 25,000
20 in arrears property taxes.

21 So Act 135 is legislation that
22 is extremely powerful and works, and our
23 organization has been able to implement
24 it successfully both in Councilman
25 Squilla's district in East Passyunk

1 3/20/13 - WHOLE - RES. 130088, etc.
2 Crossing and Passyunk Square area, in
3 Councilman Henon's district on Frankford
4 and Sheffield as well as on Richmond
5 Avenue near Representative Taylor's
6 office.

7 We are also extremely fast to
8 market. Once we file on a property,
9 providing it meets Act 135 criteria,
10 we're looking at a time to out sale of
11 between six and eight months, and this
12 means that all arrears on the property
13 will be paid to the City and to
14 Pacific Gas -- I'm sorry. I'm from
15 California. Philadelphia Gas Works and
16 the Philadelphia Water Revenue Bureau.

17 So with that, I will refer
18 everybody to our website,
19 www.scioliturco.org, and we'll be happy
20 to answer any questions that I'm able to.

21 COUNCILMAN GREENLEE: I know
22 there's other people. Councilman, you
23 put your light on. Did you want to ask
24 them a question?

25 COUNCILMAN HENON: Real quick.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 COUNCILMAN GREENLEE: Please.

3 Thank you.

4 COUNCILMAN HENON: Thank you,
5 Mr. Chairman.

6 Thank you guys for coming
7 again. Thanks for hanging in there.

8 For the record, again, I'd like
9 to just affirm that Representative Taylor
10 has submitted testimony and has been the
11 leading advocate in the state for the
12 City of Philadelphia in passing
13 successfully Act 135, to his credit,
14 along with your help moving forward with
15 these tools.

16 I just have a couple of quick
17 process questions on Act 135. How long
18 does the actual process take?

19 MR. VANDERSLICE: Well,
20 best-case scenario, it can take six
21 months. We've had some that have taken a
22 year. We've also had several, including
23 the two mentioned in Representative
24 Taylor's testimony in your district,
25 Councilman, that merely filing on the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 properties was the impetus for the
3 delinquent homeowner to enter into an
4 agreement to sell the property for market
5 rate that the rehab -- the developer took
6 it over and rehabbed the property fairly
7 rapidly. At least the one on Richmond
8 Street was done within three months. So
9 it not only returned a couple-fold to the
10 City as far as transfer taxes, put it
11 back on the tax rolls, and improved
12 noticeably the neighborhoods in which
13 they were situated. But the short answer
14 is at least six months, could take a
15 year.

16 COUNCILMAN HENON: And the
17 properties are just a total mess and
18 blight and just really just an eyesore
19 and having a major problem for --

20 MR. PALMER: Without mentioning
21 specific properties, some of them lack
22 indoor plumbing.

23 COUNCILMAN HENON: So does a
24 property subject to Act 135 need to be
25 tax delinquent?

1 3/20/13 - WHOLE - RES. 130088, etc.

2 MR. PALMER: No.

3 MR. VANDERSLICE: No, it does
4 not. It helps in proving that the
5 property has been neglected, but --

6 COUNCILMAN HENON: Has the
7 tangled title been an issue at all or is
8 it an issue from 135?

9 MR. PALMER: No. In fact, the
10 worst one we had was an old VFW on 8th
11 Street in Bella Vista where everybody
12 that we could reach denied ownership and
13 we were able to cut through that very,
14 very quickly and get that property taken
15 care of.

16 COUNCILMAN HENON: Great.

17 MR. VANDERSLICE: Title gets
18 untangled fairly quickly once you serve
19 someone.

20 COUNCILMAN HENON: So true.
21 Thank you for your time. I appreciate
22 it.

23 COUNCILMAN GREENLEE: Thank you
24 both.

25 Mr. Parodi, you're up there.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 If you'd like to go next. Identify
3 yourself for the record.

4 But Ms. Correa and
5 Ms. Campbell, will you please come up so
6 we can keep moving.

7 Again, Mr. Parodi, we have your
8 testimony for the record.

9 MR. PARODI: My name is German
10 Parodi. I'm with Disabled in Action of
11 Pennsylvania. I live in the Juniata Park
12 section of the City.

13 Disabled in Action has been
14 around for nearly 40 years. It fights
15 for the rights of people with
16 disabilities, and it's been working on
17 making more -- or not making, but making
18 sure that there are more permanent,
19 accessible, affordable, integrated
20 housing in the City for over 20 years.
21 Disabled in Action is also a member of
22 the Coalition for the Campaign to Take
23 Back Vacant Land, which has been working
24 very strong to make sure that more
25 housing, accessible and integrated, is

1 3/20/13 - WHOLE - RES. 130088, etc.
2 made in the City.

3 Many people with disabilities
4 need permanent, accessible, integrated
5 housing. However, it's very difficult to
6 find that in the City. I know, I moved
7 here in '04, and it took me three years
8 to be able to find a place that I could
9 make relatively accessible at a not too
10 expensive price, and that's because I had
11 family that could help me with that.
12 However, considering residents of
13 Philadelphia that don't have housing and
14 are disabled, most of them will be living
15 in a nursing home. Out of the 44 nursing
16 homes that are in Philadelphia, one
17 including the City-owned Philadelphia
18 Nursing Home, we know at least 150 people
19 right now are trying to get housing, but
20 they can't leave the nursing home because
21 there is no housing. We know that 40 to
22 50 people on a weekly basis call the
23 similar organizations to be able to find
24 housing, but we know there's no housing
25 for anybody, less accessible housing.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 A land bank bill would help
3 resolve this, because it would give power
4 to the communities and be able to decide
5 who is going to get these housing, who
6 are going to get these land to make
7 communities that are accessible,
8 affordable, and integrated for all its
9 communities. I live in the Juniata part
10 of the City -- Juniata Park section of
11 the City, and many of the businesses
12 around there I cannot get into. I have
13 tried to talk to the business owners.
14 Too many steps. Excuses. I would like
15 to make sure that any future building
16 that is made in this section is made
17 accessible, and I can make sure that that
18 happens through a land bank bill.

19 Now, in relation to tax
20 delinquency, on my way to college if I go
21 to Temple, I pass through a back
22 alleyway, you know, just on my way to the
23 El. There's a house there that for the
24 last two years has had a mountain of
25 trash in the back. I've talked to the

1 3/20/13 - WHOLE - RES. 130088, etc.
2 neighbor of the house that lives next
3 door to it when I see him. He says he's
4 been asking the City to come clean it up,
5 but they're saying that it is the owner
6 of the house that has to make the call.

7 Again, these are issues that
8 the City could deal with if it had a good
9 land bank bill, and right now it doesn't
10 happen and it is hurting the community.
11 I mean, many people that I talk to are
12 looking for a way to make the City more
13 accessible, because people with
14 disabilities, not only physical
15 disabilities, need accessibility, and it
16 isn't happening. And having a land bank
17 bill that would help resolve the tax
18 delinquency, because, from what I
19 understand, it would make sure that the
20 fines, the liabilities on these locations
21 would not have to go through the
22 Sheriff's Office sales and it would
23 easily make sure that to decide who is
24 going to get these land and how is it
25 going to be spent.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 Now, from the disabled
3 community, I urge you that you consider
4 enacting this land bank bill to resolve
5 these situations and make the City more
6 welcoming and inviting to people with
7 disabilities.

8 Thank you.

9 COUNCILMAN GREENLEE: Thank
10 you. And as Councilman Henon said, we
11 will have certainly a full hearing on the
12 land bank issue.

13 Please, whoever would like to
14 go next, identify yourself and proceed.

15 MS. CORREA: Hi. My name is
16 Lynette Correa. I volunteer at the
17 Women's Community Revitalization Project,
18 and I'm here today because our city is
19 experiencing a vacant land crisis
20 intensified by tax delinquency. Hundreds
21 of millions of dollars remain unpaid to
22 the City of Philadelphia, and the results
23 can be seen from Overbrook to Strawberry
24 Mansion to Hunting Park. Decades of
25 blight have invited crime and unsanitary

1 3/20/13 - WHOLE - RES. 130088, etc.
2 conditions to the Cradle of Liberty.
3 It's ironic, because many of these
4 so-called investors have taken the
5 liberties not to pay taxes on their own
6 properties.

7 While most cities across the
8 country have a 95 percent collection
9 rate, Philadelphia falls well below the
10 margin. We are in the company of another
11 town notorious for its blight and soaring
12 crime rate, Detroit. At WCRP, our goal
13 is to help develop a safe and healthy
14 environment for our citizens as well as
15 for visitors from around the world. As a
16 non-profit organization that has already
17 created 250 units of affordable housing,
18 WCRP seeks to increase Philadelphia's
19 wealth by reducing blight and creating
20 homes for families that are low income.

21 The only way that we can
22 compete with for-profit developers is to
23 have a land bank like the one introduced
24 on March 7th, 2013 by Councilwoman Maria
25 Quinones-Sanchez. A land bank would

1 3/20/13 - WHOLE - RES. 130088, etc.
2 allow for an acquisition of
3 tax-delinquent properties concurrently
4 clearing all deeds and enabling these
5 abandoned lots and buildings to become
6 fully functional business prospects for
7 our city. By revamping the business
8 sector and providing jobs for community
9 residents, we will restore the prominence
10 of our city. All of this can be done
11 without having to go through a Sheriff
12 Sale, but even more importantly, a
13 properly implemented land bank will
14 ensure that vacant land will be given to
15 people and organizations that will use it
16 for public benefit such as affordable
17 housing and urban agriculture.

18 A recent study conducted by
19 Temple University concluded that
20 well-maintained green spaces act as a
21 deterrent to crime in urban areas, and we
22 know that Philadelphia could definitely
23 use that. So Philadelphia needs a land
24 bank that we can trust.

25 Thank you.

1 3/20/13 - WHOLE - RES. 130088, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Ms. Campbell.

5 MS. CAMPBELL: Good afternoon.

6 My name is Rashida Ali-Campbell. I am
7 the Executive Director of Love Loving
8 Love, Incorporated. Our organization is
9 one of the 40 faith-based and civic-based
10 organizations that's part of the Take
11 Back Vacant Land Campaign, and as part of
12 that campaign, we've been working very
13 hard to bring attention to the blight in
14 Philadelphia and to the fact that there
15 are many community organizations that are
16 attempting to do something about it, but
17 very much so are being met with a lot of
18 resistance and red tape in trying to
19 acquire land and to turn it into
20 profit-generating or revenue-generating
21 properties.

22 As the Director of the
23 non-profit that I'm a part of, we see
24 every day vacant lots with a substantial
25 amount of tires and trash. This is of

1 3/20/13 - WHOLE - RES. 130088, etc.
2 particular interest to us because our
3 non-profit is working to bring low-income
4 housing to these vacant properties in the
5 form of an earthship, which is a house
6 that's made from recycled materials;
7 namely, tires. I'm sure most of you have
8 traveled throughout the City, probably on
9 your way here today, and have seen tires
10 laying in the street and laying on these
11 vacant properties. And along with the
12 fact that the properties draw rats and
13 drug activity and things like that, just
14 the environmental impact alone should be
15 something to make you consider passing
16 and accepting the bill that Maria
17 Quinones-Sanchez submitted, Bill 130156.
18 And we urge you and ask you to please be
19 responsible and show that you are
20 champions of justice by passing this land
21 bank bill and making it easier for people
22 like me and organizations like myself to
23 acquire these properties. And we really
24 appreciate Councilwoman Sanchez
25 introducing this bill. We believe that

1 3/20/13 - WHOLE - RES. 130088, etc.
2 it's an opportunity for us to have a land
3 bank that we can trust.

4 Thank you.

5 COUNCILMAN GREENLEE: Thank
6 you.

7 Thank you all for coming and
8 for your patience. I know it was a long
9 time you had to wait there.

10 I have no one else on my list
11 to testify.

12 Councilman, did you want to say
13 something?

14 COUNCILMAN HENON: No.

15 COUNCILMAN GREENLEE: Being
16 that the case, the Committee of the
17 Whole's hearing on these six resolutions
18 will be held to the call of the Chair.

19 Thank you very much.

20 (Committee of the Whole
21 concluded at 4:55 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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A	accessed 19:5	75:23 104:2	50:11 51:3,4	agents 132:15
abandoned 190:6	accessibility	107:20 112:7	adopt 91:15	135:15
227:5	224:15	132:13 218:18	100:10 156:7	aggressive 10:24
abandonment	accessible 221:19	adage 21:18	158:14	89:18 166:2
88:22 213:3	221:25 222:4,9	adamant 173:17	adopted 17:13	aggressively 16:3
abate 215:10	222:25 223:7,17	add 13:6 33:21	215:2	Aging 95:20
abated 215:20	224:13	41:12 54:14	ads 18:6	ago 7:21 18:16
abatements 45:11	accomplished	70:15 121:8	advance 61:11	84:24 105:22
ability 9:10,24	7:21 189:10	122:8 160:20	advancing 114:19	113:14 121:19
10:21 11:14,17	account 65:25	168:4 209:22	advantage 36:7	155:19 159:4
11:23 12:15	77:7 173:24	214:2	59:2,19 195:17	173:15 176:20
13:20 14:18	174:17 175:8	added 138:11	advantageous	191:3,4 195:25
15:9 21:3 22:17	accounted 51:2	adding 126:9	26:2	216:12
24:14 25:24	accounts 7:9 12:4	addition 124:19	advertise 119:24	agree 58:15,21
26:3 28:25 30:7	21:7 59:7	162:21 193:13	advertised 104:7	66:13 94:10,16
31:16,19 32:22	174:11,21,21	additional 2:23	advertising	103:20 127:19
32:25 45:7	176:3 196:22	3:9 4:8 84:8	114:23	138:8,9 183:6
114:4 187:5	197:15	86:16 91:11	advice 171:8	agreed 168:11
215:23	accrued 54:7	122:9 124:23	195:4	agreement 144:11
able 14:12 15:22	55:16 59:13	135:12 166:17	advocate 218:11	144:18,19,22
23:21 27:11	accruing 195:15	215:13	affect 180:9	145:10,15,22,24
30:10 41:11	accurately 231:5	address 34:11	affirm 218:9	149:4,14 153:7
60:10 65:16	achieve 23:21	98:9 100:23	affirmed 118:13	153:12,16,25
75:24 104:10	achieved 110:3	102:9,15 127:21	afford 65:15	154:12 155:15
127:3 144:17	acquire 91:21	169:20 171:2	94:14	156:6,13,17
147:6,10 150:8	92:8 228:19	177:10 205:13	affordable 97:24	159:10,21 160:2
158:5 159:24	229:23	addressing 9:6	98:6 115:7	167:10,11
162:23 174:20	acquiring 102:4	128:5	135:24 221:19	174:16 176:25
179:10 184:11	acquisition 227:2	adequate 75:10	223:8 226:17	177:2 197:25
199:7 207:6	act 84:3 199:18	adequately 22:6	227:16	219:4
208:16 216:23	201:8 212:12,17	adjusted 142:15	afternoon 2:3	agreements 14:18
217:20 220:13	212:22 213:21	administrate	5:15,17 78:3	30:24 94:2,12
222:8,23 223:4	214:6,24 215:5	207:23	80:19 87:17	153:23 154:21
abruptly 28:5	215:12,22,24	administration	105:12 125:21	155:3,6,8
absentee 89:19	216:10,21 217:9	3:20 6:19 20:16	212:5 228:5	158:16,23
210:5	218:13,17	50:15 70:10	age 96:18,18	161:21 170:8
absolutely 28:14	219:24 227:20	89:25 100:21	agencies 35:21	174:5 176:5,6
62:2 74:15	Acting 201:18	146:20 154:4	92:7 95:22 96:2	176:11
78:12 94:6	action 46:13	167:3 168:14	101:22 102:13	agriculture
130:12 151:6	130:4 131:8,10	177:15 202:2	102:14 103:6	227:17
160:5	221:10,13,21	203:15 205:19	171:11 190:16	ahead 52:15
Accelerate 198:25	active 175:4	207:23	agency 48:14	148:17 151:3
acceptable 133:17	actively 215:6	Administration's	157:12	154:16 181:17
accepted 5:3	activities 16:17	87:8	agenda 168:24	199:16
accepting 229:16	activity 30:5,16	administrative	agent 132:21	Alan 5:9 52:9
access 12:7 95:16	229:13	194:2	193:20,23,25	alarm 7:13
161:2	actual 69:24	admire 49:2	194:11,15	Alexander 85:3

algorithms 40:23 Ali-Campbell 181:14 211:2 228:6 Allan 105:7,20 118:21 120:25 121:9 130:6 132:9 allegations 16:12 alleyway 223:22 allow 6:25 15:11 15:11 17:14 33:5 113:21 179:11 180:11 215:13 227:2 allowed 187:10 allowing 28:18 87:6 allows 14:2 34:22 53:8,9 162:8 180:14 186:23 212:22 214:8 alluded 32:20 52:9 55:21 altered 41:5 amazed 189:6 amazing 120:22 American 113:6 125:22 amnesty 6:18 63:22 65:2 67:12 146:14 157:20 amount 41:7 44:12 53:2,4 59:13 64:16 66:2 70:17 71:19 113:8 126:17 136:14 146:16 162:8 175:13 210:5 215:17 228:25 amounts 55:18 213:13 analysis 41:15 42:7 68:24 70:9 Andrew 80:21	Andy 77:23 80:17 80:20 82:12 90:6 96:7 and/or 192:16 231:22 angry 51:14 announcement 79:9 annual 126:6,7 146:10 annualized 54:10 annually 125:4 answer 80:12 146:6 166:15 208:12 217:20 219:13 answers 42:25 anticipate 77:17 anybody 44:9 222:25 anymore 120:20 200:5 Anyway 105:24 apologies 159:6 apologize 211:13 211:20 appalling 47:16 apparent 30:6 apparently 16:11 appear 44:15 appearing 182:5 appears 207:22 applaud 168:5 applauding 87:23 applause 177:9 applicability 9:17 applied 62:6,8 106:8 176:20 apply 34:18 174:20 231:20 applying 61:25 183:16 appoint 187:9 191:19 194:17 194:17 212:23 appointed 185:10 186:4 209:13	appointment 47:12 appraisal 140:13 appraiser 106:10 139:23 appraisers 106:11 139:10 appreciate 38:12 58:5 78:11 116:19 143:11 151:4 193:10,15 220:21 229:24 approach 10:25 34:16 43:5 75:4 139:7,7,8,10,14 140:13,15 160:5 166:2 approached 5:12 77:24 105:9 143:2 172:4 211:4 approaches 139:5 approaching 139:6 appropriate 16:16 61:12 92:10 97:23 208:8 appropriately 13:25 appropriation 31:25 approvals 45:11 approve 31:17,20 April 61:7,8 62:14,16,20 area 16:5 20:14 39:19 67:9 74:17 135:15 141:5,13 142:4 142:6,7 161:25 185:19,19,19 196:7,18 197:4 217:2 areas 7:9 10:11 24:25 39:14 61:22 106:20,22	122:25 139:2 176:21 195:24 196:16,20 197:10,11,12 210:2 227:21 argue 53:25 argument 139:22 Arizona 198:3 arms 18:12 arrearage 64:12 64:15 arrears 216:17,20 217:12 arrow 179:22 arsenal 29:7 32:17 33:21 art 58:4 article 32:21 85:3 170:11 189:21 ascertain 13:22 aside 122:10 asked 100:9 108:3 asking 50:21 97:17 202:23 224:4 asks 215:8 aspect 132:24 135:13 136:15 177:18,18 assemble 92:9 103:10 assess 134:25 assessed 106:18 assessing 111:12 assessment 132:19 assessments 132:12,18,25 133:6 138:20 asset 44:20 90:19 Assets 85:4 assist 9:20 95:19 associated 24:6 54:25 Association 87:20 105:21 106:6 181:21	associations 208:3 assure 161:14 attach 65:24 attached 84:15 175:8 attack 75:18 attempted 181:23 186:25 attempting 228:16 attention 35:12 35:20 114:15 214:4 228:13 attitude 19:6 48:12,20 49:8 51:21 52:5 58:8 attitudes 52:6 attorney 148:14 151:8 160:17 178:19 212:6 attorneys 160:24 162:4 attract 126:22,24 attractive 213:5 auction 119:22 auctioneer 119:20 auctions 119:25 audience 190:12 audit 16:25 45:2 authority 8:12 44:24 45:3,14 49:9 91:18 authorizing 2:15 3:3,12,23 4:12 4:23 7:4 102:24 automated 11:4 11:16,19 46:7 automatically 11:21 183:7 availabilities 38:20 available 35:17 81:16 Avenue 176:14 212:8 217:5 average 106:22
--	--	--	---	--

164:20	badly 181:8	192:23 222:22	98:18 110:5	blame 188:9
averages 107:12	bag 22:24	BASS 1:10	112:15 114:5	blanket 141:2
AVI 48:21,22	balance 41:4	battle 82:7	115:19 116:9	bleeding 12:22
58:17 106:7	174:23	beat 130:6	117:2,8 128:10	14:12
107:2 110:17	balances 79:18	Beckley 168:10	154:23 189:3	blight 89:22
117:13 132:9	100:8	becoming 191:6	202:3,3 214:6	118:11 179:2
133:13 137:2	ballooned 152:2	behalf 149:7	bettering 118:16	192:20 204:13
138:18 165:11	Baltimore 37:5	behavior 12:8	bidder 91:10	204:19,25 213:2
165:15 169:2,10	bang 61:19	13:17 33:16	big 88:8 106:9	219:18 225:25
169:15,22	banging 50:5	46:19,24	123:17 126:4,4	226:11,19
170:16 176:22	bank 91:24 92:18	behind-the-sce...	133:12 173:17	228:13
177:4 178:6,9	99:14 102:23	104:13	biggest 47:22	blighted 92:2
avoid 12:13	103:4,21 115:12	belief 46:14	170:21 209:10	110:5,8,11
avoidance 54:2	129:5,10 131:15	believe 5:21 13:15	bill 9:12 10:19	120:9 128:6
avoided 54:3	202:17,20 207:3	16:6 19:12 21:6	11:14,18 13:5,5	192:7 200:6,6,6
award 84:18	209:7 211:17	23:11 26:8 37:5	13:12 34:22	215:15 216:10
aware 46:22	223:2,18 224:9	39:2,22 53:3	46:7 60:22 63:6	blighting 91:3
164:5	224:16 225:4,12	61:18 63:17	63:8 64:13	block 103:8 104:9
awareness 95:8	226:23,25	79:10,19,25	66:19 92:22	110:10,12
95:21	227:13,24	85:12 94:10	99:20 129:21	117:25 128:11
	229:21 230:3	106:18 108:24	156:23 157:24	188:14 196:19
B	bankrupt 37:18	116:24 142:12	158:3 159:2,3,5	200:6,6,9,11,13
back 7:8 15:13,21	37:21 70:25	169:21 179:9	159:20 164:8	200:16 210:10
21:22 25:23	bankruptcy 152:5	198:9,10 229:25	166:8,21 167:2	210:11
26:19 32:11	152:12	believed 114:7	168:9,14 169:25	blocking 14:11
34:5 37:4 41:7	Barclay 134:24	believes 22:2 90:4	170:16,24 171:3	blocks 110:4
63:19 75:6	134:25	Bella 216:11	200:2 223:2,18	198:4 210:13
76:12 82:13,25	barely 202:25	220:11	224:9,17 225:4	213:7
84:24 85:6	barometer 66:24	belong 175:19	229:16,17,21,25	blog 172:16
88:10 90:16,18	base 42:20 162:18	benefit 45:7,16	billing 72:16,18	BLONDELL
90:23 93:2	baseball 103:25	181:25 227:16	74:9	1:15
101:5,6 105:23	based 5:2 13:5,17	benefits 134:17	billion 107:8	blowtorch 50:9
115:8,18 121:13	50:19 52:19	best 5:3 31:5	187:24	board 71:3 205:8
124:16 128:12	140:10,16 167:7	35:15,20 40:16	bills 7:14 15:14	boat 50:17
132:22 136:5	184:18	72:3 74:14,16	15:22 34:24	BOBBY 1:12
139:24 146:22	basic 14:11	129:19 138:23	49:2 99:17	body 29:12
154:3 156:25	basically 17:7	139:20 170:18	121:18 137:16	116:24 117:11
162:18 164:7	24:2 31:9 37:7	176:10 195:4	159:12 170:13	bono 148:13
170:7 178:5	43:5 53:6 69:14	196:14 199:9,12	216:19,19	161:2
194:24 211:18	80:22 96:22	207:22,24	bit 11:8 17:16	book 6:10 190:18
212:19 219:11	143:19 144:4	best-case 218:20	25:3 59:4	190:19,21,22,23
221:23 223:21	145:19 161:16	bet 141:8	100:20 142:24	booklet 85:3
223:25 228:11	173:9 182:3	better 20:16 22:3	black 173:16	books 29:12,13
backyard 123:12	basis 20:21 21:9	28:25 36:19,21	BLACKWELL	63:19 67:23
bad 67:23,25	42:16 56:19	39:19 46:20	1:11	borrow 67:24
101:15 122:16	161:2 164:24	69:18 93:10	Blackwell's	78:22
181:10,12	166:12 171:14	95:16 96:12	166:16	boss 171:13

bottom 43:12 124:9 bought 134:25 196:5 bow 179:22 box 173:16 178:20 Bralow 82:12 brand 195:24 brand-new-this... 56:18 break 121:2 159:19 167:10 167:11 171:25 breaking 73:14 breathe 36:17 Breeze 128:6 136:4,8 141:22 210:3 Brewerytown 200:10 210:3 bricks 124:11 brief 28:12 143:16 150:19 151:6 178:18 209:21 216:6 briefly 9:22 212:22 bring 52:16 68:5 72:21 86:11 102:23 104:2 126:19 146:19 215:21 228:13 229:3 bringing 85:6 117:4 136:5 187:18 192:12 193:11 212:19 214:3 brings 60:4 broke 28:16 brother 144:14 brother's 144:6 147:11 152:8 brought 35:12 100:6 146:21,22 193:19	Brown 1:15 36:14 36:15,24 37:10 37:23 38:3 93:8 93:9 94:8,22 95:7,18 96:6,23 97:4 98:15,19 brutal 169:23 buck 61:19 bucket 43:6 175:18 bucks 210:18 budget 21:17 69:20 70:11 77:3,8 107:7 177:10,10,16 183:4,8 budgeted 22:6 budgeting 78:25 buffer 121:4,7 build 123:2,4 195:23 198:23 building 135:5 141:11 223:15 buildings 103:12 131:19,20 180:6 227:5 built 199:4 bulk-sold 119:5 bunch 128:21 129:11 burden 113:22 Bureau 217:16 burning 73:5 205:20 bus 176:14 business 18:3,7,9 21:18 29:22 30:14,17,19 31:8 33:2 81:22 110:23 111:4,7 116:10 119:15 120:18 125:13 125:14 127:7 129:24 132:13 223:13 227:6,7 businesses 18:7 30:12 81:6	86:13,14 110:25 113:16,24 223:11 busy 205:19 Butkovitz 5:9,16 5:20 6:6,9,12 8:10 9:3 15:25 16:19 19:21 21:23 29:15 31:5,18,23 32:8 32:19 36:20 37:3 43:19 45:18 51:11,19 51:22 52:14,21 52:24 54:5,13 54:18 55:2,8,12 56:5,9,16 57:5 57:15,18 59:6 59:12 66:13,25 68:22 69:4,8,12 69:16,22 70:20 71:16,20 72:7 72:11 74:17 108:4 butt 178:10 buy 101:9 126:24 127:17 128:25 140:15 buyers 101:20 buying 18:2 125:10 127:9	calling 11:4 161:15 calls 5:9 54:22 Camden 108:21 campaign 221:22 228:11,12 Campbell 221:5 228:4,5 cancel 32:25 cancelled 45:24 cap 139:14 capable 119:18 capacity 114:5 capital 73:25 74:5 74:11 captains 188:14 capture 97:15 card 104:5 care 50:3,10 88:18 135:9 170:22 220:15 cared 135:9 carefully 138:2 carrot 160:5 carry 46:15 case 23:8,18 99:20 141:13 230:16 cases 16:6 67:24 164:20 191:15 case-by-case 42:15 cash 16:12 21:2 104:2 catch 53:11 62:21 catch-22 145:11 150:8 categories 43:18 category 43:13,16 caught 165:25 166:22 167:23 caused 176:17 197:23 causes 179:2 causing 195:14 196:9 198:18 204:19 210:6	cautious 71:5 CDCs 98:12 center 20:6 86:22 108:8 134:3 cents 76:8 centuries 184:20 CEO 5:10 28:21 33:15 certain 10:4 21:9 22:14 24:24,25 34:20 61:15 74:6 101:21 129:23 135:22 135:25 136:7,8 212:25 certainly 9:17 10:6 25:8 26:18 33:23 35:4 60:19 95:24 101:23 118:8 124:8 138:3 225:11 certificate 109:7 231:2 certificates 108:15,22 109:3 109:11 certification 231:19 CERTIFY 231:3 certifying 231:23 chain 156:5 Chair 5:9 27:3 36:13 38:7 47:6 58:22 68:14 104:25 132:5 193:4 201:18 230:18 Chairman 99:6 116:17 165:10 181:19,23 203:20 206:6 211:7 218:5 challenge 27:24 Chamber 111:21 112:6 201:19 champions
--	---	---	--	---

229:20 chance 99:3 104:12 124:15 129:4 change 10:13,17 19:7 25:3 41:11 46:19,24 49:5 52:6 58:8 71:23 74:8 98:25 123:21 156:16 187:19 203:5 206:23 changed 21:9 47:21 144:5 201:23 204:7 changes 7:20 58:11 84:7 120:14 changing 29:17 characters 201:23 charge 81:17 charges 59:8 cheap 127:13 check 29:23 30:13 61:9 108:20 162:13 checked 31:15 checking 18:6 checks 100:8 chief 19:16 21:25 78:13 189:22 chiefs 22:2 child 45:22 children 143:24 213:6 choice 141:4 choose 10:19 12:8 13:8 choosing 113:18 chosen 156:7 Chris 172:3,3 Christmas 2:11 Christopher 172:13 church 132:18,20 132:21 133:18 churn 26:11	CINDY 1:10 circumstance 42:15 97:14 circumstances 42:23 56:4 143:20 cited 37:5,7 cities 18:5 37:6,9 69:24 74:19 108:6,20,23 113:6 125:22,25 195:19 226:7 citizen 29:21 80:22 116:11 citizens 35:18 36:6 38:19 39:5 94:25 97:22 226:14 city 1:2,6 2:15,17 2:20 3:4,13,15 3:24 4:2,5,13,15 4:16,17,23,25 5:5,9 6:18 7:5 7:25 8:7,11,13 17:13 18:8,19 18:23 19:16,22 19:24 21:14,15 23:19 24:4,25 25:18 29:8 30:7 30:12 31:8,14 32:9 33:6,8,21 35:16 37:21 38:18 39:25 42:8,20 44:21 44:25 45:7,10 45:14,16,19,25 49:25 50:25 63:22 65:5 78:17 79:2,2 80:24 82:4,9 83:12,13,14,25 85:11 86:23,25 87:3 88:2,5,12 90:4,20,25 91:22 92:15 93:4 96:2 98:8 101:15,22 102:5	102:11,13,14 103:6 107:5,18 107:21 108:8,23 109:14,16,24 110:18,21,22,24 111:4 112:10,14 112:15,21 113:9 113:13,19,21 114:13,18,25 115:17,22 116:2 116:21 118:18 119:17 121:11 121:19 123:16 123:20,22 124:2 124:10,16,19,25 126:23 127:3,15 129:12,14 130:9 130:11 133:15 133:19 134:3,20 135:23 137:15 138:13 142:11 144:7 148:23 149:17 152:13 155:13,18,25 156:6 157:15,17 158:12 162:11 162:24 163:21 166:9 168:6 175:12 176:8,21 177:11,13 180:5 180:7,12,14 181:25 182:24 183:17,19,23 184:10 186:14 188:9 191:25 192:13 193:12 194:9,9,16 195:16,16,21 196:19 198:18 199:9,12 202:21 204:14 205:15 206:12,16 207:8 207:20,23 208:10,15,24 209:6 210:7,9 212:18 214:16 214:19 215:16	216:16 217:13 218:12 219:10 221:12,20 222:2 222:6 223:10,11 224:4,8,12 225:5,18,22 227:7,10 229:8 citywide 91:16 City's 3:6 20:10 67:6 111:11 121:6 179:23 City-owned 114:23 222:17 civic-based 228:9 civil 162:3 claim 17:4 83:2 83:19 clapping 8:9 Clarke 1:10 2:2 5:6,14,18,23 6:8 8:20,24 15:23 19:8 21:21 22:9 23:9,16,25 25:11 26:25 27:7,19,23 28:13 36:11 37:12,25 38:5 47:4 58:14 68:12 76:16 77:12,20 99:18 114:21 129:21 classes 55:14 clean 224:4 clear 35:25 112:14 126:12 145:7,9,13 146:2,7,13,17 147:5 148:12 153:5 158:25,25 159:15 182:22 clearance 6:22,24 clearances 100:9 clearing 227:4 clearly 88:14 89:22 112:23 133:14 139:19 CLERK 2:14	Cleveland 84:17 85:9 Cleveland's 85:10 client 215:4 clients 29:2 68:4 160:23,25 162:9 163:22 164:23 170:4,20 207:11 climbing 109:23 close 87:23 99:3 121:19,24 125:23 closely 8:16 closer 62:21 75:14 107:11 182:5 198:7,7,8,8 closure 20:4 CLS 68:3 93:16 95:19 169:9 170:18 Coalition 221:22 code 91:9 162:12 175:18,25 184:18 193:21 194:8 coffers 149:24 180:5 coincides 60:13 collect 2:18 3:6,16 4:3,19 5:3 40:14 50:23 51:15 55:6 60:10 70:14 75:2,25 79:6 85:24 109:15 113:15 114:5 125:4 140:10 166:3 177:24 183:20 186:5 187:7,13 187:23 188:13 188:17,20 190:4 191:20 199:7 205:14 206:24 208:4,17 209:16 214:17 collectable 124:21 collected 116:2
---	--	---	---	---

202:20	come 29:9 35:19	commissioner	completed 73:13	Congress 183:5
collecting 2:25	42:17 44:2,20	28:22 47:18	completely	connect 97:13
4:10 43:7 50:20	49:2,4 50:12	53:20 59:22	185:25 210:10	connecting
69:15 76:8,9	52:15 64:3,3	76:24 124:22	compliance 7:2	160:22
79:20 80:5	82:25 87:7	154:25 202:12	89:20	connects 169:3
108:25 109:5	99:19 104:21	205:7	complicated 25:8	conscious 165:18
111:12 112:15	109:12 119:21	commitment 51:4	190:8	consciously
113:14 115:19	126:23 145:19	committed 22:5	component 83:7	113:18
120:24 124:20	145:21 146:19	Committee 1:3	135:16,18	consent 155:10
125:7,11,22	149:24 154:3	2:5,15 3:4,13,24	167:20	consequence
185:23 187:12	157:22 160:8	4:13,23 114:14	components	88:24
190:3 191:24	161:4 167:14	159:3 164:9	83:10	consequences
204:16 206:25	169:16 185:17	230:16,20	compounding	55:24
212:20 213:22	185:20 193:16	common 104:7	201:4	conservative 71:5
collection 3:21	205:23 211:3	187:5	computer-related	75:16
10:4 13:13	221:5 224:4	communication	74:11	conservator
19:17 20:14	comes 169:7	100:14	concept 135:17	212:23 213:9,12
22:15 28:24	206:14	communities	concern 100:25	conservatorship
29:5,13 35:21	coming 28:20	92:13 223:4,7,9	162:22	186:25
39:22 52:7 64:2	41:25 58:19	community 81:4	concerned 36:4	conservatorships
64:24 67:6	62:11,13 63:12	85:4 87:20	80:22	215:12
68:19 69:25	83:17 97:10	90:20 95:24	concerns 89:13	consider 42:3
70:9 72:5 77:4	99:12 101:5,8	96:13,16,19	162:20	64:2 66:11
79:10,11,24	116:19 124:16	98:3 99:24	conciliation	67:11 93:12
80:4 108:5,8,10	164:4,7 167:18	132:12 148:4	151:14	95:22 215:9
108:13 158:18	169:9 170:17	151:8 165:21	concluded 227:19	225:3 229:15
158:21 165:13	201:10 218:6	198:23 213:6	230:21	consideration
167:20 183:16	230:7	214:5 224:10	concurrence	57:7 148:22
191:9 214:18	commend 7:19	225:3,17 227:8	33:12	considered
226:8	19:2 114:14	228:15	concurrently	192:16
collections 6:21	comment 35:13	companies 22:18	227:3	considering
7:23 9:7,9 13:3	41:13 122:21	47:24,24 125:9	condemnation	222:12
16:16 20:17	136:16 137:13	company 26:6,7	81:12	consist 107:17
33:22,25 42:9	150:20 158:2	119:19,25	condense 27:13	consistency
43:2 47:23 60:3	169:2 193:12	226:10	condition 57:17	162:22
60:17 61:16	comments 28:12	compare 18:8	122:17	consistent 38:25
69:19 113:3	108:20 112:17	compared 37:21	conditions 117:21	39:16 156:11
114:10 118:16	216:7	141:15	180:10 196:15	157:10
120:19,22 178:3	Commerce 80:23	compete 226:22	226:2	constantly 17:4
182:2	111:21 112:6	competent 171:6	conducted 227:18	30:2 43:23
collects 108:10	commercial 4:4	171:6	conference 114:7	constituency
137:15	44:10 67:13	complained 135:4	confidence 67:2	93:17 97:8
college 223:20	107:19 112:11	complaining	confidential 17:6	constituent
column 175:22	commission 14:21	134:18 173:15	19:5	165:21
combat 200:14	41:20 75:9,9	196:8,10	confidentiality	constituents 66:9
combination 14:9	113:12 208:23	complaint 197:22	30:23	164:6 176:22
14:10 192:17	208:25 209:5	complete 21:16	confused 45:6	177:4

constricted 177:15,17	36:20 37:3 38:11 39:11	corner 141:23 200:11,13	170:25 174:4 177:11 192:16	136:22 137:13 137:17,18,20,23
construction 6:24 16:7 29:24 47:24 49:15 198:6	43:19 44:23 45:18 47:15 48:13,18 51:11 51:19,22 52:14 52:21,24 54:5	Corporation 95:20	193:12 203:17 206:24 212:5 214:2 215:9	138:6,14,15,16 140:4 141:12,18 142:8,16,18,22 143:4,17 144:21 145:7,12 147:8 147:15,24 148:9 148:15 149:2,9 149:11 150:3,10 150:14,25 151:5 153:4,11 154:15 158:24 159:8,11 160:4,9,14 161:9,24 164:14 164:16,18,25 165:5 168:4,7 168:21 169:4,24 171:15,19 172:6 178:7,13 180:21 181:6,10,13 192:24 193:2,3 193:14,16 194:6 194:23 201:14 201:17 202:5 203:19 206:2,4 206:5 207:17 209:18 210:20 211:6,8,9,10,22 212:13 216:24 217:3,21,22,25 218:2,4,25 219:16,23 220:6 220:16,20,23 225:9,10 228:2 230:5,12,14,15
consult 155:12	54:13,18 55:2,8 55:12 56:5,9,16 57:5,15,18 59:6 59:12 64:6 66:4 66:13,25 68:22 69:4,8,12,16,22 70:20 71:16,20 72:7,11 108:3 125:20	corporations 87:21 95:25	Councilman 1:11 1:12,12,13,13 1:14,14,16 8:9 17:21 27:3,5,8 27:16,21 28:10 28:15 29:16,16 30:25 31:12,21 32:5,13 33:10 33:13 35:11 36:12 37:14 38:7,9 42:5 44:17 46:18 47:5,6,8 51:17 51:20,24 52:17 52:23 53:18 54:9,15,19 55:3 55:9,21,25 56:6 56:11,23 57:10 57:16,20 58:15 68:14,16 69:6,9 69:13,17 70:3 71:13,18,21 72:9,12,14 73:24 74:23 75:22 76:14,17 76:18,19,20 77:13 78:2 80:14 87:6,13 93:6 95:2,3 96:25 99:7 105:2,11 108:3 111:15,18,24 114:21 116:13 116:15,16 118:6 121:10 122:8 124:8 126:11 127:19 128:4,5 128:14,16,17,18 128:20 130:8,17 131:11,23,25 132:2,3,4 133:4 135:11 136:20	Councilmanic 119:21 Councilman's 111:22 169:2 Councilmember 114:15 195:8 Councilmembers 45:4 92:19 174:25 Councilpeople 201:19
consulting 73:2 76:5	Controller's 50:4 51:4 173:13	Correa 181:4,5 210:25 221:4 225:15,16		
consumer 13:15 35:3 151:8	controls 85:11	correct 23:2,3 60:7 77:13 118:3 175:22 231:8		
contact 52:25	conventional 185:2 204:5	correction 204:25		
contacted 21:5	conversation 22:13 59:23 97:5 165:12,16 203:7	correctly 12:18 43:4 72:18 97:20		
contained 231:5	conversations 25:14 100:3,18 135:14 160:7 203:23 211:19	cost 41:19 42:6 54:24 102:6 122:11 139:7,24 190:2		
contemplate 181:24	convert 127:4 139:21,24	costs 90:5 192:2 195:16		
contemplation 192:14	converted 138:22	cost-benefit 41:14		
context 9:5 10:9 88:5 166:19	converting 127:16 140:5	Council 1:2,10 2:2,7 5:6,14,18 5:23 6:8,18 8:20 8:25 15:23 19:8 21:21 22:9 23:9 23:16,25 24:10 25:11 26:25 27:7,19,23 28:13 30:3 31:25 33:4 36:11 37:12,15 37:25 38:5,10 39:23 44:3 47:4 58:14 67:12 68:12 71:10 76:16 77:12,20 78:8 87:23 92:16 114:12,18 114:20 115:2 121:16 129:20 130:14 147:19 162:6 163:14		
contingent 20:21 21:4 23:17 45:20	cooperate 48:16 161:22			
continuation 2:9	cooperation 12:11 14:9 47:16 48:20 51:5 148:21			
continue 12:23 64:13 166:8	coordinate 152:24			
continues 122:20	coordinating 46:21			
continuum 33:22	coordination 148:20			
contract 32:6	copy 48:14			
contracting 29:6				
contractors 17:23 29:19				
contracts 31:17 31:20,24				
control 85:12 128:25 178:2 180:12,16 183:20 208:11 212:24 213:10 231:22				
Controller 5:10 5:16,20 6:6,12 7:5 8:10 16:19 19:15,21 21:23 28:19 29:4,15 31:5,18,23 32:8 32:19 35:14				

Councilperson 109:9	218:16	crisis 15:19	172:2 178:19	157:19,24
Councilperson's 147:20	couple-fold 219:9	177:19 225:19	181:19	debtor 46:17
Councilwoman 1:10,11,15,15 36:14,15,24 37:10,23 38:2,3 40:4 58:23,24 59:16 60:9 61:6 61:20 62:3 63:15 64:20 66:3,22 67:7 68:13 93:8,9 94:8,22 95:7,18 96:6,23 97:4,5 98:15,19 99:8,9 99:10 103:18 104:23 105:3 110:8 115:10 166:16 168:6 226:24 229:24	course 14:19 22:13 23:20 24:18 29:16 65:18 69:23 97:17 178:6 183:6 court 7:11 53:24 54:23 185:9 186:3,8,8 187:5 196:24 212:23 213:10,16 214:8 courtroom 183:9 183:11 courts 213:23 214:5 coverage 122:12 covered 42:12 151:24 co-counsel 157:14 189:7 191:15	criteria 101:22 217:9 critical 38:23 91:24 166:10 173:20 Crossing 217:2 cross-checking 46:23 cross-reference 32:22 CRP 15:19 65:19 cumbersome 205:4 current 21:7 69:14 75:3 78:17,23 79:14 79:20,22 89:25 91:20 111:6 160:2 179:18 currently 2:17 4:2 4:18,25 78:19 109:16 162:9 174:7 CURTIS 1:13 customer 12:8 14:13 15:4 34:2 34:7,11,12 60:20 63:2,5,7 64:9,10 65:9,23 customers 14:25 26:10,13,23 33:16 40:23 41:9 61:17 64:19 65:8,9,12 65:19 72:17 cut 22:18 140:19 141:25 149:19 220:13 cuts 40:18 cutting 141:6 czar 19:17	data 6:25 19:5 30:11 31:2 32:16 39:21,24 40:2,3,8,9,10 46:23 118:7 139:8,11,17 173:7,24 210:2 date 216:12 DAVID 1:14 day 39:7 43:7 48:6 51:2 60:25 61:14 71:9 72:20 94:11 166:3 172:14,20 178:9 190:11 193:7 209:12 211:14 228:24 days 34:14 90:13 119:23 160:8 186:9,17 211:14 deadbeats 159:18 deal 102:7 103:17 132:17 161:23 162:25 163:2,7 163:12 164:20 166:11 171:9 187:17 192:22 224:8 dealing 34:19 88:6 92:4 119:18 131:18 131:19 147:18 157:12 195:5 205:20,21 dealt 94:11 119:16 dear 172:22 death 197:24 deaths 184:9 debt 22:20 54:12 54:16 59:25 63:22,25 64:4,5 64:11 66:12 67:23,25 73:5 151:25 154:14	decades 88:14 225:24 deceased 144:2 161:19 December 60:8 60:21 decide 208:11 223:4 224:23 decided 200:4 decisions 98:22 declines 118:2 decrease 118:11 deduct 139:25 deduction 191:25 deed 144:5 145:6 146:2,17 147:6 150:11 161:25 197:15,18 deeds 164:21 227:4 defeat 129:7 defense 151:12 defensive 18:15 51:12 deferral 138:11 deferrals 137:25 definitely 67:25 209:24 227:22 delay 211:13,20 delineated 184:17 delinquencies 33:7 39:8 40:15 40:21 45:6 71:22 105:25 106:3 109:18,19 109:20 117:16 117:25 118:10 118:17 120:17 170:12 195:4 211:15 214:14 215:18 delinquency 3:11 12:22 15:5,6 17:19 23:7 38:22 40:10,22
Councilwoman's 156:21	co-counsels 155:18			
Council's 2:15 3:4 3:13,24 4:13,23 216:5	Cradle 226:2			
counsel 181:20 208:2	craft 11:9			
counseling 96:2 166:14 171:11	Craig 5:10 44:18			
counselor 193:11	crazy 51:6			
counselors 158:6 158:15 159:22 171:6	create 92:11,18 115:7 120:10			
count 215:19	created 12:10 58:17 226:17			
country 37:9 106:21 108:6 226:8	creates 123:18			
County 119:6	creating 97:24 226:19			
couple 29:3 81:11 82:11 84:15,25 90:22 112:4 132:7,15 135:14 137:6 146:23 159:4 160:20 198:4 214:7	creation 91:23 116:9 creative 20:18 71:11 credit 13:7 104:5 152:18 154:24 154:25 218:13 creditors 52:15 crew 35:5 104:22 crime 225:25 226:12 227:21 crises 199:10			
		D		
		D 1:15 Darrell 1:10		

41:3 44:13	denied 220:12	93:19 97:16	54:6 55:14	discomfort
45:20 54:11	DENNIS 1:14	desperately	63:10 64:9	198:18
59:5 62:25	department 8:5	187:20	71:24 90:13	discovered
63:13 65:20	16:22 19:3 22:4	Despite 150:22	100:21 106:12	176:19
84:5 87:25	22:5 25:15	destabilize 124:5	108:9 110:20	discrepancy
88:23 89:23	30:20 32:10	destroy 210:17	130:19 140:13	68:20
94:3 107:12	43:25 47:17	detail 211:17	149:25 153:14	discretionary
111:6 117:2	50:15 71:24	detection 40:21	161:17 170:9	46:11
124:7 152:20	79:13 80:24	determination	182:16 183:18	discuss 9:20 79:14
172:21 176:4	82:8,9,14,18	75:17	192:5,6,8	142:14 199:15
187:17 188:5,6	91:19 100:4,23	determine 13:11	199:10	211:15,17
223:20 224:18	101:18 114:4	14:3 31:24 34:5	differently 25:3	discussed 93:11
225:20	144:8,8,10,12	35:7 55:13	33:18 34:17	108:18 195:7
delinquent 2:19	144:19 145:3,5	167:9	50:16 60:18,23	discusses 172:19
2:25 3:6,16,21	145:16,17,19,24	determined 63:4	difficult 24:24	discussions 17:12
4:3,10,15,19 5:4	146:5,12 152:16	deterrent 227:21	95:11 188:2	203:22
7:6,10 8:6 23:13	152:18 153:7	Detroit 37:8,17	203:7 222:5	disincentivizes
32:9,24 43:15	154:20 157:13	37:17 226:12	difficulty 57:8	82:2
44:11 45:17	158:12 168:5	develop 120:11	70:21	dismiss 43:13
50:24 55:20	173:9,11 174:9	122:7 129:22	dig 35:5 157:19	dispose 129:13
57:3 59:7 75:2	174:20 175:5	131:22 136:13	diligent 73:4	disposed 129:10
78:15,17 79:15	176:13 180:8	226:13	202:2	disposing 128:22
79:21 81:3,10	184:5 185:7,7	developable	diligently 73:15	disposition 91:16
85:18 89:10	196:12,13	103:11	direct 231:22	100:2 115:13
90:4 91:8	197:25 199:13	developer 136:10	directed 28:11	dispositions 91:17
110:20 112:16	202:11 213:18	198:22 219:5	direction 71:4	dispute 173:3
112:20 113:9,14	departments 18:4	developers 8:14	118:20	disrepair 86:2
114:5 115:19	22:23 39:17	115:6 132:14	directions 80:2	distinguish 14:6
116:3 136:25	43:2	213:19 215:23	directive 32:12	distribute 199:8
137:15 152:14	depend 140:25	226:22	192:18	distributed 174:2
162:17 170:8,16	depending 122:15	developing 98:13	directly 55:4	175:15
170:23 172:24	131:3 141:13	development 81:5	Director 111:20	district 2:20 4:5
172:25 178:25	depends 23:4	85:5 87:20	194:8,18,20	5:5 77:22 78:14
180:14 183:24	deplorable	92:12 95:25	228:7,22	78:18,20,24
184:3 185:2	117:21	98:8 99:24	disabilities	80:8 88:13 95:3
189:4 195:14	deposit 81:23	103:13 115:14	221:16 222:3	108:9 119:21
200:21 207:2	173:2,6	129:2,3,15,16	224:14,15 225:7	162:14 175:19
219:3,25	deposits 10:22	130:16 135:23	disabled 221:10	175:25 177:22
delinquents	Depot 49:21	196:11 210:8	221:13,21	177:25 178:7
107:16	Deputy 53:20	dialogue 138:5	222:14 225:2	188:15,18
delinquents-for...	describe 9:14	dictate 206:24	disappears	216:25 217:3
56:19	11:10	died 200:2	161:22	218:24
demand 126:19	described 97:14	difference 87:10	disappointing	districts 130:16
demands 10:3	describes 190:24	different 9:8	192:22	174:4 177:3
democratic	desire 97:23	13:14,16 20:18	disclose 173:21	192:21
109:13	141:7	26:16 35:2,3	disclosing 173:18	divide 77:2
demolition 29:24	desperate 93:13	42:4,25,25 52:5	disclosure 36:5	dodge 207:13

dog 136:2 doing 9:21 30:18 31:7 35:15 38:16,18 46:20 48:6,7,7 55:5,6 58:5 60:17,23 69:19 74:17,19 74:22 82:4 95:5 108:22 113:13 117:3 118:15 120:20 121:3 125:8,12 138:20 155:2 179:19 196:4 201:4 204:22 208:12 dollar 54:4,4 76:8 208:25 dollars 40:18 41:22 69:7 74:4 74:5 122:24 123:8 133:9 134:10 135:8 144:17 146:24 153:8 155:9 188:20 192:12 205:12 225:21 dollar-for-dollar 21:8 52:19 75:4 Domb 105:8,16 105:19,20 116:18 119:13 122:21 125:2 126:3,22 128:3 129:18 130:23 131:17 133:3 136:17,23 138:9 139:4 140:9 141:16,21 142:13 door 81:7 102:11 140:2 200:4 224:3 doors 200:16 double 170:14 downloaded 173:23 downstairs 47:14	downward 88:21 dozens 208:21 drag 36:2 dragging 128:7 drain 180:6 dramatic 89:16 169:12 draw 229:12 drew 118:9 drive 104:19 drop 169:14 drug 229:13 Dubow 47:19 due 7:16 12:6 29:14 79:23 83:17 112:13 125:24 143:20 175:13 182:20 201:2 212:21 E earlier 41:12 52:9 65:22 88:15 125:21 138:18 152:16 173:7,14 early 40:20 earn 76:25 161:5 earned 49:24 earnings 49:23 earth 151:17 earthship 229:5 easier 104:4 206:22 229:21 easily 224:23 East 176:9 197:9 197:23 216:25 easy 107:25 economic 136:18 economics 123:3 economy 7:17 50:21 111:3 educate 38:19 educating 38:13 39:5 education 15:16 38:14,16 95:14 effect 91:17 119:5	119:7 146:11 180:4 186:23 effective 11:2 102:6,7 207:25 effectiveness 2:21 3:17 4:6 effectuate 187:18 efficacy 4:20 efficiencies 110:22 efficient 107:6 effort 50:12 79:19 efforts 3:6 8:13 16:15 28:22 29:5 egotistical 147:23 eight 6:15 16:21 111:2 168:8 189:13 196:24 217:11 either 14:7 15:18 38:21 40:11 75:2 81:11 82:23 100:15 101:11,20 113:17 119:2 121:9 162:23 179:7 188:10 208:6 213:5 El 198:7 223:23 elaborate 33:19 elderly 96:10 elected 100:20 eligible 146:13 eliminate 116:7 eliminated 82:21 116:6 eloquently 160:19 embarrassing 107:22 emergency 7:15 employ 2:18 4:3 4:18 5:2 13:16 18:5 employed 9:15 10:9 14:2 61:15 employees 7:6	21:2 194:2 employing 214:16 employs 2:18 4:2 4:18 5:2 empty 210:11 enable 74:6,7 enabling 227:4 enacted 6:18 84:7 110:25 enacting 225:4 encourage 10:18 29:13 36:8 42:3 88:3 92:15 encouraged 79:8 encouraging 86:15 ended 81:18 ends 57:8 151:17 enforce 16:24 enforcement 46:12 113:20 158:22 163:20 engaged 208:3 enhance 128:11 enhancing 6:13 114:4 118:15 enormous 162:18 215:16 enormously 30:9 ensure 8:16 227:14 ensures 75:10 ensuring 7:2 16:15 enter 54:19 95:13 149:3 219:3 entered 112:3 155:10 197:25 entering 168:12 entertained 65:5 entire 13:2 64:14 152:10 176:13 entities 16:7 89:6 182:17 entity 207:3 entrepreneurs 115:5	environment 226:14 environmental 229:14 equally 106:8 112:10 equate 79:4 equates 69:3 equitable 163:5 equity 112:9 equivalent 194:21 erect 210:11 err 71:3 75:15 error 175:20 errors 134:6 escalating 46:9 especially 64:5 89:15 94:5 104:18 111:2 140:21 210:2 essence 118:14 essentially 24:2 25:18 70:25 established 10:22 46:4 estate 2:19 3:2,7 3:10,17,21 4:4 4:10,19 5:4 23:18 24:5 25:2 32:24 44:8,10 50:23,24 56:13 68:21 72:5 79:3 79:15 106:21 107:8 108:13 109:15 115:23 125:3 126:21 132:11,14,21,24 133:9 135:13 136:25 145:14 146:20 172:18 179:2,7 180:3 183:23 204:6,8 207:10,21 208:3 evaluate 13:4 eventually 25:10 everybody 6:3,5 27:11 28:2
---	---	---	--	--

40:12 48:2 49:12 56:12 66:17 80:20 105:25 109:12 117:6 135:2 204:9 217:18 220:11 evict 186:9 evicting 186:15 eviction 53:15 evidence 213:22 231:4 exact 41:7 exactly 15:16 44:13 83:13 84:19 123:24 125:5 208:5 examination 182:5 196:21 examine 3:5 example 17:12 64:22 133:18 200:9 Excuse 27:8 Excuses 223:14 execute 32:11 Executive 228:7 exemptions 138:3 exercises 206:13 exhibited 13:18 exist 51:21 52:3 52:11 97:8 existence 54:8 existing 2:22 3:18 4:7 64:11 180:17 expand 81:6 123:10 expansion 6:21,23 expect 18:14 expediting 8:12 expend 114:2 expenditure 42:2 122:5 192:10 expenses 71:7 122:9 expensive 35:4	222:10 experience 68:9 70:22 72:16 81:2 experiencing 225:19 expert 109:11 128:2 expertise 9:18 162:2 explored 17:11 extensive 155:20 203:14 extensively 155:22 extortionary 81:17 extracted 173:11 extraordinarily 20:22 extraordinary 189:24 extremely 16:20 216:22 217:7 eyesore 219:18 e-mailing 202:13 F face 47:23 53:4 94:21 192:21 faced 113:23 facets 82:20 facilitate 91:25 115:12 214:3 facilitating 98:25 facing 55:23 89:16 151:15 158:8 fact 13:22 15:9 25:22 36:16 46:10 54:3 61:10 62:22 63:11 65:2,17 67:22 72:19 73:22 154:10 162:25 185:24 190:11 206:16	220:9 228:14 229:12 factor 93:15 137:10 factory 197:20 fail 194:15 failing 204:20 fails 190:9 fair 106:19,25 112:24,25 157:17 159:21 160:12 166:6 200:25 fairly 65:12 106:8 219:6 220:18 fairness 112:8,12 161:12 165:13 faith 66:10,16 faith-based 228:9 fall 38:17 43:6,15 85:25 fallen 10:2 falling 24:21 falls 93:18 226:9 false 7:13 families 124:13 226:20 family 124:14 161:6 222:11 far 14:17 38:23 81:10 96:17 98:8 130:20,23 140:22 145:20 146:6 148:18 179:10 213:21 214:23 219:10 fast 217:7 faster 199:3 favor 106:7 107:2 federal 17:6,15 183:3 fee 20:21 120:2 feel 6:11 110:17 138:10 170:18 177:21 178:18 feels 104:12 155:25	fees 7:13 21:4 53:24 54:2 200:22 feet 48:7 fell 179:6 Fels 107:13 fenced 123:13 ferocious 58:8 fetch 44:11 fidelity 79:12 Fifty 191:3 fighting 184:8 fighths 221:14 figure 66:17 171:7 figured 175:9 figures 175:21 file 31:8 54:23,23 217:8 filed 152:4 filing 218:25 filings 18:9 filled 44:5 Finally 4:22 215:3 finance 113:22 159:3 financial 19:25 20:8,10 55:19 57:8 78:13 80:8 179:6 financially 78:21 find 15:3 19:4 24:10 38:24 57:11 62:9 70:6 81:13 104:5 142:11 164:2 176:14 179:23 184:2 194:3 210:10 222:6,8 222:23 finding 63:16 findings 117:20 fine 47:20 138:7 finer 7:12,12 113:10 116:4 200:22 224:20 finger 50:2	fingertips 188:17 finished 152:12 fire 197:21 213:6 firefighters 197:24 firehouse 20:4 fires 205:20 firm 72:22 73:2 73:20 76:5 firms 72:2 187:22 189:8 214:18 first 5:8 7:3 10:13 16:2,21,25 27:12 28:9 31:2 40:24 60:25 63:2 73:12 75:18,21 78:5 82:5 85:17 90:24 105:15,17 107:25 120:4,11 124:15 133:3 146:17,18 153:20 154:2 156:9,9,25 161:8 165:8 172:13 178:17 199:18 206:9 213:17 first-class 183:17 fiscal 37:20 174:19,24 Fishtown 197:9 fits 202:19 five 73:4 76:24 77:2 96:23 101:10 114:8,10 124:21 136:12 141:6 152:10 209:20 216:13 five-minute 27:17 five-unit 141:11 five-year 77:9 fix 20:6 81:6 88:3 188:21 189:19 196:19 fixed 94:5 133:16 133:20
--	---	---	--	--

fixing 83:4 88:5 192:20	forgive 37:10 200:24	102:11 127:21 194:14	44:25 46:3,6,25 65:22 74:21	200:8 223:3
flag 97:12	forgiven 64:15,17 157:3	fruition 203:18	75:8,9 216:19	given 12:12 36:16
Fleischer 160:16	forgiveness 65:4 156:22 157:6	frustrating 16:20	217:14,15	93:16 141:3
flip 101:11 165:9	159:24	full 23:24 36:4 39:8 134:16	geared 157:5	227:14
floating 154:9 159:12	form 44:5 48:9,15 58:4 87:4 176:3	143:21 157:8	general 8:19	giving 12:14
floor 135:6	229:5	164:9 211:17	134:7 141:3	14:17 71:25
Florida 125:8	formal 154:22	225:11	generally 7:25	157:16,18
flow 54:16	formally 100:4	fully 103:10 190:3	18:14 213:3	159:18 209:14
flowing 49:23,24 50:25	formed 215:5 216:9	227:6 231:5	generate 62:12	glad 118:13
focus 6:15 166:4	forms 17:13,15 32:3	full-sized 123:18	88:11 90:5	glean 37:2
folks 9:19 15:16	forth 13:8 45:12	functional 227:6	114:9 140:17	glove 202:19,22
24:15 29:9 62:7	49:2 132:22	functioning 190:3	generated 26:5	go 9:22 10:11
62:12 65:14	forward 80:9	functions 21:17	generating	15:6 19:11 24:7
67:10,11,15	87:11 92:18,23	fund 78:18 88:13	175:11	34:14 37:4 44:2
68:3 82:8 149:7	99:21 111:13	funding 24:19	generation 90:8	49:13,21 54:22
150:5 161:4	136:15 157:25	96:20,21 98:8	generations 137:7	58:9 63:2 81:11
163:16 177:23	170:14 203:18	117:9 171:12	163:22,23	89:23 91:6
follow 48:11	218:14	177:19	gentleman 188:15	99:15 105:15,16
followed 155:25	for-profit 226:22	funds 15:18,19	190:13 208:18	106:19 114:19
following 167:22	found 18:19 81:8	23:14,18 208:4	gentlemen 5:15	122:3,4 129:5
followup 97:4	81:14,15 174:6	further 47:2 94:4	77:15 193:5	136:9 137:10
follow-up 207:17	four 10:11 103:8	future 34:24	geocoding 175:20	142:7 145:23
foreclose 90:25	116:2 120:19	85:12 86:19	German 181:8	150:18 151:16
182:15 184:12	140:23 141:6,10	223:15	210:25 221:9	152:11 157:15
184:12	141:25 142:4	G	getting 21:22 30:8	162:23 168:19
foreclosing 86:25	161:6 216:12	gain 75:6	59:9 73:15	171:13 176:14
90:2	fragile 93:12 95:8	gained 76:12	79:18 83:22	176:21 177:21
foreclosure 86:11	Frances 168:10	gains 26:23	91:11 92:24	180:23 181:17
90:9,15 144:16	frank 85:3 167:8	game 66:18	101:6 120:13	183:25 186:3,7
151:11,16	167:12	148:18	121:12 125:14	190:7 194:3
153:19 154:2	Frankford 217:3	gapped 210:14	139:15 144:5	197:8,10,11
158:8 163:8	frankly 205:19	garden 198:24	153:22 155:7	198:11 199:16
182:9,12 184:7	fraudulent	gardens 136:2	176:11 191:21	201:13 208:6
185:5 190:9	161:24	garnered 84:7	192:2	221:2 223:20
191:16,16 197:3	free 6:11 160:21	garnish 7:5	Gillen 107:13	224:21 225:14
204:17,20 208:6	160:23 171:14	garnishments	117:24	227:11
foreclosures	fresh 65:18 67:16	29:7	Gillen's 117:19	goal 70:19 226:12
189:13	freshmen 27:17	gas 5:11 9:7,10,12	gist 201:7	goals 158:19
foregoing 231:7	161:11	9:24 10:19	give 11:6 15:12	goes 40:2 86:24
231:19	front 9:6 17:24	13:23,23 14:4	51:17 64:22	110:12 177:25
foremost 165:9	55:7 82:6 99:2	14:14 22:18,19	76:6 94:23	195:8
forever 182:17		23:7 26:7,7,19	106:4 121:2	Goggan 162:24
forget 66:19,19		28:22 34:21	129:11 136:11	going 2:3 5:24 6:3
191:16		35:6 41:20	136:12 152:18	12:19 13:11,15
			154:24,25 162:8	19:22 30:16
			180:14 191:21	34:7,13,15,24
				35:8,9 38:24

39:12,19,21 40:6 41:16 42:11 43:6 46:7 46:8,10 49:6,6 49:12 50:16,17 53:5 55:15 63:9 65:4 66:17 67:21 68:4 71:24 73:16 76:25 77:5,6 85:11 89:18 90:10,17 94:25 97:10 101:9 102:18 104:19 106:12 107:14 117:7 118:20 122:17 128:11 131:6,7,8,10 132:22 135:5 136:11 140:25 142:23,24 143:5 143:15 147:17 147:25 151:18 151:22 153:18 159:17 167:13 170:13,13,14,21 170:24 171:9,11 171:23,25 173:5 176:16 177:21 181:7 182:3 184:6 185:8,9 188:10 194:20 197:2,4,8,16,17 198:4,6,8 199:11 201:13 203:20 204:21 209:2 210:17 216:6 223:5,6 224:24,25 good 2:2 5:14,16 18:13 19:20 29:21 34:22,23 37:22 38:18 66:10,16,24 78:2 80:19 87:17 98:16 100:7 105:11	106:16 119:20 122:7 133:13 134:4 148:16 149:7 155:23 187:3 204:4,22 204:23,24 212:4 224:8 228:5 good-faith 154:11 157:3 gotten 154:23 Governing 84:16 government 48:25 67:18 107:5 110:23 183:3 governs 91:17 182:7 GPAR 106:5 111:9 grabbing 128:21 Grace 105:8 111:16,17,19 112:2 116:18 118:4 121:8 123:23 125:17 127:24 130:5,12 137:12,22 138:8 grade 94:23 grandparents 163:23 Granted 200:23 grassroots 165:20 GRB 155:19 162:24 great 18:25 44:18 57:24 59:20 65:2 86:19 98:23 102:11 103:15 111:3 127:20 187:23 220:16 greater 65:15 105:21 106:5 111:21 140:22 141:10 greatest 75:20 great-grandpar...	163:25 green 136:2 227:20 Greenlee 1:11 78:2 80:14 87:13 93:6 96:25 99:7 105:2,11 111:15 111:24 116:13 128:14 131:25 136:20 137:20 137:23 138:6,14 142:18,22 143:4 143:17 144:21 145:7,12 147:8 147:15,24 148:9 148:15 149:2,11 150:3,10,14,25 153:4,11 154:15 158:24 159:8,11 160:4,9,14 164:14 168:21 169:4 171:15,19 172:6 178:13 180:21 181:6,10 181:13 192:24 193:14 201:17 206:2 209:18 210:20 211:8,22 212:13 217:21 218:2 220:23 225:9 228:2 230:5,15 Greenlee's 114:22 Green's 168:7 grew 200:10 grocery 18:18 ground 158:10 groundwork 98:24 group 93:21 210:23 groups 170:16 grow 12:23 15:11 122:20 growing 59:14 growth 86:16	guess 7:24 29:3 68:18 74:20 87:22 100:25 105:25 117:20 128:20 129:4 146:14 177:8 201:6 guests 59:3 guidance 99:14 guidelines 153:21 155:16,20,24 156:3 167:16 guise 128:20 guy 200:3 guys 57:23 218:6 H habitable 192:9 half 41:22 72:19 116:3 118:8 127:8 Hall 1:6 halls 98:23 hammer 10:7 hand 89:23,23 144:9,9 152:22 152:23 202:19 202:21 handle 61:4 62:19 63:13 162:2 178:21 208:22 hands 8:14 90:16 92:3 115:6 122:6 128:10 131:5 178:5 196:4 hanging 193:6 210:22 211:21 218:7 HAPCO 178:17 181:21 185:17 191:13 207:4,12 happen 25:2 28:8 46:10 49:7,12 83:18 84:12,13 85:8 87:2 101:7 129:17 163:11	176:17 224:10 happened 84:6 happening 17:3 224:16 happens 54:11 85:17,25 103:13 178:4 190:14,19 223:18 happy 9:2,14,19 80:12,20 163:12 172:13 217:19 hard 40:14 82:16 85:19 130:22 142:11 186:13 186:15 187:22 228:13 hardest 152:6 hardship 168:12 hard-working 179:4 harm 213:5 Harrisburg 33:5 harsh 55:23 hate 27:14 haul 123:25 heading 118:19 healthy 226:13 hear 71:22 80:15 98:16 183:11 185:4,6 186:14 189:6 200:21 heard 78:7 112:17 158:4,20 177:5 182:11,13 183:2 185:23 187:3,21 190:10 205:9 hearing 2:6,7,10 38:23 73:6 92:21 94:10 126:5 136:24 165:13 177:7 193:17 200:20 201:24 225:11 230:17 hearings 2:16 3:5 3:14,25 4:14,24 49:3 70:6
---	---	---	--	--

165:17 201:21 201:22 203:21 206:17 heart 114:19 heater 60:15 heating 65:11 heavy 210:4 heirs 164:2 184:9 held 230:18 hell 73:13 Hello 143:14 help 10:15 30:9 30:10 69:21 70:17 73:20 77:14 78:18 80:7 88:9 96:4 109:14 115:12 150:5 152:8 154:19 164:3 204:22 205:24 214:3 218:14 222:11 223:2 224:17 226:13 helped 86:10 155:17 helpful 77:17 213:19,24 helping 151:14 179:10 helps 220:4 Henon 1:12 29:16 38:8,9 42:5 44:17 46:18 87:6 116:15,16 118:6 122:8 124:8 126:11 127:19 161:9 193:2,3,16 194:6,23 201:14 203:19 211:6,10 217:25 218:4 219:16,23 220:6 220:16,20 225:10 230:14 Henon's 128:5,20 217:3 heretofore 74:7	Hey 120:25 he'll 154:14 Hi 225:15 hides 40:13 high 6:17 18:19 20:22,25 21:14 91:10 127:2 133:10 higher 44:12 123:19,23 131:20 133:23 176:7 higher-value 90:3 highest 17:18 139:19 182:20 highlighting 114:12 highlights 106:4 hire 21:2 119:19 hiring 86:14 historical 34:21 historically 34:13 43:10 90:8 histories 42:19 history 13:6,10 34:5,6 35:8 56:21 66:21 101:14 hit 198:16 hold 2:16 3:5,14 3:25 4:14,24 26:7 31:21 32:10,11,25 holding 22:24 121:15 hole 71:8 home 44:9 49:21 106:23 110:9 120:10 123:4,11 123:16,17,19 126:25 127:9 139:9,11,20 141:4,14,14 158:11 167:14 198:5 222:15,18 222:20 homeowner 97:24	116:10 140:21 141:7 219:3 homeowners 50:22 65:3 89:14 94:19 97:21 107:21 127:18 151:14 151:19 154:19 171:10 180:15 181:21 186:13 199:22 201:12 homeowner-occ... 197:13 homes 66:7 67:14 86:13 89:8,14 94:20 97:9 109:24 110:5,11 119:3,22 120:5 123:3 126:16 135:7 138:21,21 138:23,25 140:6 140:6,18,19 151:15 164:12 167:23 222:16 226:20 honor 31:10 honorable 31:11 hope 50:12 87:4 hopeful 80:5 hopefully 128:12 147:13 167:2 211:18 hoping 214:12 hosting 165:17 hotline 158:11,16 158:17 hours 173:15 176:19 house 25:4 37:20 50:8 96:10 124:15 143:21 143:22 151:20 151:24 172:23 173:5 187:25 200:12 223:23 224:2,6 229:5 houses 100:13	205:9,11 212:12 housing 45:8 96:2 97:25 98:6,9,13 99:24 115:7 158:6 159:22 175:5 195:24 198:23 210:8,11 221:20,25 222:5 222:13,19,21,24 222:24,25 223:5 226:17 227:17 229:4 huge 24:11 73:22 75:13 157:25 179:12 human 167:19 humor 193:17 hundred 43:8 51:15 58:21 119:22 120:4 122:24 123:8 130:5 144:17 146:24 153:8 155:9 156:24 165:2 200:17 209:8 hundreds 135:7 210:12 225:20 Hunting 225:24 hurting 224:10 I ID 95:19 idea 8:19 18:13 19:20 71:19 72:13 76:7 132:10,23 147:12 168:11 187:3 202:19 ideas 18:13 21:6 108:19 178:20 202:24 203:24 identical 201:21 identification 18:2 identified 7:8 170:11,20	identify 8:5 11:11 13:24 14:7 78:6 95:12 105:17 143:6 148:2 211:23 221:2 225:14 identifying 170:6 ignorant 113:17 ignore 180:2 illegally 19:5 immediately 15:10 impact 4:16 9:25 24:11 55:13 81:4 92:13 119:12 132:13 132:24 229:14 impacted 60:22 95:2 impacting 88:2 205:2 impediment 60:16 impenetrable 16:23 impetus 219:2 implement 49:6 50:13 216:23 implementable 58:20 implementation 25:16 implemented 41:18 73:9 79:12 206:10 227:13 implementing 67:16 213:20 important 10:12 15:8 28:6 38:14 64:23 73:11 83:25 86:5 91:14 92:21 98:2,4,7,22 99:4 102:3 104:20 114:16 138:4 166:11
---	--	--	---	---

importantly 84:9 227:12	199:23 226:20	175:10 179:4	107:14 110:22 203:3	introducing 229:25
impossible 48:11	income-generat... 189:17	indoor 219:22	instrumental 178:23	invent 158:10
impressed 61:22	inconceivable 90:10	induce 32:18	insurance 122:12	inventory 92:5,10
impression 157:16	inconsistent 154:8	industries 47:25	190:16	102:8,21,22
impressive 63:17	incorporate 135:18	industry 48:4	insurgence 126:17	103:5,17 120:7
improve 2:24 4:9 29:18 70:7 205:15	Incorporated 228:8	informal 153:22	integrate 103:4	122:2,19
improved 219:11	incorporation 17:14	information 17:5 30:21 36:5 48:19 51:8 76:20 85:2 95:16 104:6,17 154:9 173:10 188:16	integrated 221:19 221:25 222:4 223:8	invest 39:16,21 135:22
improvement 28:23 195:13	increase 3:20 13:20 21:10 25:17 26:20 60:16 68:25 79:22 113:7 133:8 134:19,22 158:21 169:9,12 212:18 226:18	infrastructure 124:11,12,17 135:3	intensified 225:20	invested 127:14
improvements 100:22 135:3	increased 8:18 62:13 73:8 115:22	inherited 143:22 151:24 152:3	intercede 10:6	investigate 3:14
improving 86:13 113:19	increases 89:16 116:8	initiative 31:13 112:7 114:2	interdepartmen... 31:4	investigating 81:9
inaccessible 31:9	increasing 64:24 79:23 113:20 114:3	initiatives 114:22	interest 35:21,24 39:3 40:16 53:9 53:13 59:10 63:24 112:22 113:10 116:4 127:5,7,11,12 127:25 149:16 149:20 157:5 159:25 161:12 179:13 195:22 197:6 215:11,17 215:20 229:2	investment 3:8 39:18,20 42:7 42:13 74:2 75:13,24 76:4 76:12,22 114:8 117:7
inappropriately 13:23	incredibly 98:21	inner 195:21,21 195:21	interested 21:11 81:16 187:25 188:8,10	investments 40:6 40:7,17 74:11 86:18 126:14
incentive 9:11 120:10 130:9,24 131:22 136:11 145:21 149:17 149:22	indebtedness 31:15	Inquirer 8:3 32:21 37:4 69:23 112:18 117:18 124:4 125:18 195:11	159:25 161:12 179:13 195:22 197:6 215:11,17 215:20 229:2	investor 8:6 107:17 197:14
incentives 129:20	independently 100:19	inside 33:7 103:24	interest 21:11 81:16 187:25 188:8,10	investors 120:9 180:16 185:17 201:12 226:4
incentivize 129:25 130:4,7	indicated 38:15 63:8 174:16	insider 103:24	interested 21:11 81:16 187:25 188:8,10	invite 109:12
incentivizes 129:22	indicates 34:2	insight 135:13	interesting 83:8 84:16 176:18 202:8	invited 109:8 225:25
incentivizing 36:2	indicating 43:14	inspection 45:8	interpreter 196:14	inviting 9:2 225:6
inching 198:7	indication 66:15	inspections 17:23 175:6	interrupt 153:5	involved 185:3 192:2 204:16 207:4
include 69:19 93:16	indicator 34:23	installment 155:14 159:10 174:16 176:5 177:2	intersect 170:15	involvement 189:20
includes 112:12	indices 212:25	instance 23:12 34:16 216:15	intertwining 165:11	in-fill 210:8
including 45:4 97:22 203:9 216:18 218:22 222:17	individual 42:16 166:5	instances 74:6 141:19 200:24	intractable 7:23	in-house 72:4
income 79:17 86:21 94:5 135:25 138:10 139:7,14 140:10 140:11,16 141:8 144:14 157:6 161:4 175:11 179:17,18	individuals 16:8 22:18 25:4 35:22 89:6 113:16 166:18	instinct 17:2	introduce 161:13 215:3	Ira 109:10
		institute 84:3	introduced 92:17 121:17 137:17 226:23	ironic 226:3
			introduces 130:15	IRS 19:5 49:10,10
				issuance 45:9
				issue 14:8 17:16 17:20 20:9,24 22:20 28:6 32:16 36:17 37:9 48:12 52:8 58:16 78:16

87:24,25 96:17 99:19 103:21 130:19 136:19 137:24 166:11 167:21 170:9,21 171:2 186:3 220:7,8 225:12 issued 187:7 issues 12:7 16:4 59:24 60:3 114:20 115:15 154:7 201:25 224:7 item 11:2 items 17:14 75:20	joke 127:12 Jones 1:13 27:4,5 27:16,21 28:10 28:15 30:25 31:12,21 32:5 32:13 33:10 35:11 38:15 55:21 JR 1:13 judge 183:12 186:3 judgment 155:10 184:4 187:6 208:7 judgments 52:16 jump 104:11 142:23 154:16 jumped 151:2 Juniata 221:11 223:9,10 Juniper 43:22 jurisdiction 206:10 jury 183:13,14 justice 229:20 justified 41:19 justify 41:24 42:2	134:21 143:16 151:19 154:17 159:25 164:10 216:6 221:6 keeps 39:10 109:23 126:9 Kennedy 213:23 Kenney 1:13 17:21 28:15 29:17 47:7,8 51:17,20,24 52:17,23 53:18 54:9,15,19 55:3 55:9,25 56:6,11 56:23 57:10,16 57:20 76:18,19 133:5 Kenney's 33:13 Kensington 197:9 197:20 198:9,13 KENYATTA 1:12 kept 42:10 144:19 Kerkstra 8:3 117:23 162:14 Kerkstra's 32:21 170:11 kettle 49:14 Kevin 107:13 117:18,24 key 72:25 74:15 79:5 83:22 90:9 131:4 166:25 170:6 kid 200:14 kids 123:13 kind 5:25 9:4 22:24 23:2,2 38:16 40:13 42:7 45:3,5 83:8 104:13 116:8 119:4,7,11 156:21 173:12 203:22 kinds 20:18 knew 28:11 120:24	knocking 200:15 know 7:18 15:16 17:21 19:18 20:3 21:18 24:15 29:22 35:15,22 36:6 37:19 39:24 41:15 45:4 46:6 49:11,20 52:6 54:21 57:11,12 59:17 61:16,21 67:24 68:3,23 68:24 69:3 72:2 72:8,10 74:16 83:13 85:8 86:22 87:25 88:7 89:12 92:16 98:7 100:22 103:25 104:14 119:9,17 121:3 122:16 127:25 130:18 130:25 132:16 133:14 134:21 136:7 149:25 151:12 158:7 161:3 163:9,14 164:9 165:9,10 167:8,14,19 169:13,15 170:17,23,25 172:7 178:25 182:11 183:6 185:15,16,19 186:14,17 190:6 191:23 193:6 197:21 199:2,10 200:5 203:21 209:9 211:24 217:21 222:6,18 222:21,24 223:22 227:22 230:8 knowing 70:14 knowledge 194:13 206:11 207:21	known 35:18 151:13 155:15 161:20 knows 44:2 161:24 173:3
J	K			L
JAMES 1:13 JANNIE 1:11 January 114:7 Jeremiah 189:22 Jerry 108:17 Jersey 50:2 53:8,8 108:16 123:14 125:5,7,7,11 Jim 190:14 job 35:16 36:19 36:21 38:18 44:18 46:20 57:24 69:18 72:20 106:10 112:15 115:19 134:4 187:23 189:9,11 jobs 115:7 116:9 227:8 Joe 105:8 111:19 Joel 181:2 210:24 212:9 Johnson 1:12 8:9 37:14 128:4 132:3,4 135:11 137:18 164:16 164:18,25 165:5 168:4 169:24 Johnson's 95:3 joining 7:19				L 1:10 231:14 lack 47:16 166:24 167:24 219:21 lackadaisical 163:20 lagging 113:5 laid 152:9 land 84:18 85:11 91:24 92:17 99:14 102:23 103:4 109:25 115:4,11,13 119:3 128:6 129:5,10 131:13 131:15,19,21 135:17,22 136:12 202:17 202:20 207:3 209:7 211:17 221:23 223:2,6 223:18 224:9,16 224:24 225:4,12 225:19 226:23 226:25 227:13 227:14,23 228:11,19 229:20 230:2 landlord 12:11,13 14:9 173:2 209:10 landlords 89:19 175:4 179:24 lands 198:21 Lane 176:9,9 lank 103:21 large 55:18 63:6 65:12 74:10 86:9 largely 29:20 larger 42:19

122:11	61:13 148:4	licensed 16:9	list 6:3 43:25 44:3	68:2 87:24 88:3
largest 62:24,25	149:4 151:8	licenses 18:3 29:6	44:7,16 49:4	88:4 94:24
Lastly 115:21	160:22,23 162:3	29:6 33:2,3	50:13 162:19	102:20 103:16
late 13:12 34:15	181:20 184:14	45:10,19,24	163:18 180:25	104:5 111:13
lately 58:3	188:6 200:22	49:16 175:6	189:23 191:17	122:17 124:12
launched 31:13	legalities 181:25	lien 11:19,21	230:10	137:22,25 138:2
law 7:4 8:15 17:7	legally 29:8	12:13 22:22	listed 8:18 43:23	149:19 175:4
32:10 43:25	legislation 10:18	23:19 24:4,11	192:4	196:22 197:12
45:21 82:8,8,10	33:3 92:16	24:14,16,17,18	listening 47:13	198:17 201:15
82:14,15,18,20	94:11 102:25	24:19 25:9	litany 53:21	207:18 210:13
83:8 144:8,10	130:14 163:10	52:10,11,12	litigation 154:13	looked 67:18
144:12,19	215:10 216:21	54:14 108:15,22	litmus 38:17	74:21 209:25
145:15,18 146:5	legislative 7:20	109:3,7,11	litter 7:13	looking 18:7 42:4
152:16,18 153:7	208:7	138:12 145:20	little 9:7 11:8	48:19 55:10
155:23 156:16	legitimate 128:10	174:12,12,13	17:16 24:23	57:25 66:6
157:13 167:22	lengthy 56:21	176:3 190:18	25:2,8 45:5 59:4	74:25 79:25
182:19 183:16	125:19	213:14	94:4 100:20	96:19 128:4
184:5 185:7	leniency 186:12	lienable 54:16	113:4 125:21	137:14 156:15
186:25 187:22	letter 18:25 24:11	lienholders 24:8	137:8 142:24	170:25 186:18
189:8 190:19	24:17	liening 33:5 53:23	187:25 188:2	186:18,19
193:10 202:11	letters 54:20	liens 11:22,24	live 36:17 89:7	189:24 194:2
207:14 209:5	146:19 154:3	21:7 22:16 23:3	96:14 110:5,6,6	217:10 224:12
laws 21:9 180:18	letting 88:25	29:5 32:14 52:8	137:8 163:13	looks 182:19
lawyer 45:23	let's 40:7,8 41:21	53:2 54:8	185:18 186:16	188:15 200:13
148:4,8,10	41:21 75:17	125:10 173:4	221:11 223:9	loose 73:14
151:23 155:12	101:4,12 153:23	174:8,10,15,20	lives 104:8 224:2	lose 85:22,23 86:2
207:12	158:14,16 203:3	174:22 175:7	living 96:10,15	86:3
lawyers 171:7	level 13:4 14:4	176:12 184:5	180:9 222:14	loss 26:12,22
183:12 185:9	20:12 23:21	life 137:9	LLCs 40:12	losses 26:24
laying 229:10,10	31:2 65:4	lift 60:12	load 162:18	lost 53:17 82:17
Leader 38:15	101:21 108:10	light 217:23	locations 123:15	126:2
leadership 87:5,8	127:5 165:20	LIHEAP 15:18	224:20	lot 15:15,20 22:2
87:9	177:3 182:20	61:24 63:21	lock 49:19	24:21 27:24
leading 218:11	183:3 187:2	limited 102:9	long 6:2 40:25	30:5 31:11
leads 14:6	levels 17:18	line 28:9 37:16	44:19 46:15	46:14 62:4,7,12
learn 33:20	182:13 192:5	43:12 47:11	47:12 48:6	63:18 66:9,9
lease 161:19	Levy 108:18	99:2 163:15	123:25 136:17	67:2 74:12
leave 143:5	liabilities 55:17	206:7 214:12	147:8 157:15	80:25 88:17,19
152:11 210:12	224:20	Linebarger	193:7 211:14,14	95:14,15 117:19
222:20	liability 122:11	155:19,21	218:17 230:8	122:14 123:10
leaving 103:11	122:19 191:8	162:23	longer 20:5 25:20	123:18 126:13
137:19	liberties 226:5	lines 82:7 90:22	36:3 62:23	127:14 133:16
ledger 93:13	Liberty 226:2	link 97:9	97:22	134:3,8,11
left 22:24 143:23	license 29:22	linkage 97:11	look 13:10 16:4	135:20 137:5,21
152:22 158:13	30:15,17 45:9	linked 37:8 97:15	17:2 19:11 36:9	148:18 149:22
200:2	45:23 175:5	liquor 79:16	36:25 42:18,19	158:4 159:12
legal 20:23 32:2,3	179:21	LISC 85:5	42:21 62:23	166:20 176:20

185:21 186:20 189:13 192:6 195:18 197:21 198:14,24 199:18 201:11 215:14 228:17 lots 103:12 123:6 198:5,12 199:10 227:5 228:24 lottery 96:22 louder 196:10 love 156:20 193:10 228:7,8 Loving 228:7 low 20:12 63:5 70:7 131:13 134:9,14 140:24 161:4 196:6 226:20 lower 69:21 70:17 86:21 98:9 113:22 197:8 lowering 118:17 lowers 117:9 lowest 117:12 127:5 low-income 67:11 89:13 94:18 97:21 98:13 160:23,25 229:3 Lubert 109:10 luck 186:15 lucky 148:7 lump 94:14 157:23 luxury 205:22 Lynette 181:4 210:25 225:16 L&I 46:19 48:16 48:18 180:7 198:19 213:18	maintain 96:11 179:4 maintaining 121:20,25 maintenance 118:10 194:7 major 17:19 82:19,20 87:25 96:17 113:6 125:22 182:10 219:19 Majority 38:14 making 35:16 39:18 40:18 44:20 48:2 57:8 61:24 89:13,20 107:5 112:12 145:15 152:21 154:10 162:25 166:18 200:25 221:17,17,17 229:21 man 152:7 153:24 154:13 manage 130:22 187:9 204:6,8 208:21 209:4,8 209:9,11 management 11:20 67:3 manager 186:24 managers 191:5 manages 208:20 managing 160:17 185:4 193:20,23 193:25 194:8,10 194:15,18,20 209:3 mandate 129:14 129:19 mandated 14:20 21:16 manner 180:13 Mansion 225:24 map 162:12,13 March 1:7 60:8 109:8 226:24	margin 226:10 margins 21:10 Maria 1:15 226:24 229:16 MARK 1:16 market 55:23 90:18 101:11 106:18,19,22 119:7,10,12 123:6 126:21,21 137:7 139:8,10 195:22 196:6,11 196:14 197:2,5 198:20,22 200:25 208:15 208:17 216:14 217:8 219:4 marketable 21:8 mass 191:17 materials 229:6 Matt 77:21 matter 61:10 63:11 65:3 72:20 92:4 156:8 157:11 182:18 231:7 matters 182:7 202:13 214:19 Matthew 78:13 Maura 213:23 maximum 24:4 61:3 Mayor 71:10 80:4 85:10 114:6 154:24 177:9 192:17 Mayor's 79:9 113:25 mean 15:7 17:12 18:15 20:2 29:19 37:20 45:20 47:17 48:15 50:4,11 51:3,8 52:24 56:7 57:23 62:14 64:21 73:6 95:23 96:9	97:16 99:2 122:11 124:23 129:18 133:17 134:5 137:4 153:13 224:11 meaning 25:19 163:21 183:18 means 52:14 102:3 123:24,25 137:7 138:10 169:13 180:16 217:12 231:21 measures 2:23 3:9 4:8 114:18 mechanism 207:6 medical 7:15 meet 57:9 70:18 78:23 135:20 147:18 166:20 meeting 79:13 146:25 169:22 meets 217:9 mega 198:5,12 member 221:21 members 8:25 25:13 185:18 mention 13:20 120:17 133:25 214:21 mentioned 39:12 59:21 65:22 117:15 133:5 178:8 193:18 214:13 218:23 mentioning 33:24 219:20 mere 73:22 merely 218:25 merit 57:6 117:20 mess 181:7 219:17 message 11:7,9 46:25 messages 11:5 met 18:14 61:13 108:17 130:9 132:14 228:17	meter 12:7,16,21 14:8 meters 13:24 method 180:11 methodology 180:20 methods 3:19 7:2 22:15 MICHELE 231:14 microphone 148:2 168:19 middle 132:17 midst 165:11 167:24 millage 50:19 52:2 70:17 117:10,12 million 6:20 7:7 7:10,11,12,14 7:16 41:22 43:12 53:3 59:7 69:5,7,11 75:5,6 76:6,11,11 77:2 78:19,22 79:5 107:9 109:18,21 110:17 112:22 114:9 115:25 116:6 121:20,25 122:10 124:20 125:2,6 126:6,6 126:7 132:20 135:2 174:24 175:10 216:14 millions 205:12 225:21 mind 42:11 192:20 mindful 111:22 mine 195:7 minimized 62:15 minimum 101:21 ministerial 206:22 minute 146:25 169:6 minutes 27:18
---	--	---	---	---

M

Magazine 84:17
mail 144:24
main 123:20
164:4 201:7

96:24 misplaced 175:17 mistakes 134:5 mix 98:14 209:16 mixed 135:24 model 53:7 67:5 151:19 models 85:9 modest 190:2 192:9 mom 152:3 moment 11:11 momentum 82:17 money 19:23 21:19,19 34:10 35:10 41:13,16 50:19,25 51:18 52:12 53:16 55:6,7 58:9 62:5 63:18 70:15 71:8 74:25 80:6 113:8 138:13 140:7 146:23 147:4 152:3 153:2 177:16 179:11 183:4,8 187:10,11,13,18 188:3,7,12 191:24 204:23 205:15 monitor 79:17 monitoring 29:18 Montgomery 119:6 month 62:20 142:3 144:18 146:16 152:17 153:9 155:9,9 176:23,23,24 monthly 79:14 146:10 months 43:22 50:7 64:14,16 66:10,23 83:2,3 120:12 152:12 168:9 189:16 217:11 218:21	219:8,14 Monty 142:25 148:3 151:7 160:19 Monty's 162:22 moratorium 60:5 60:6,13,23 62:18 63:12 morning 47:14 49:21,22 50:8 122:18 174:3 mortar 124:12 mortgage 144:16 151:11,16,25,25 mother 143:22,24 143:25 mother's 200:12 motivation 51:7 motor 39:9 mountain 223:24 mouth 19:23 move 8:13 15:3 15:10,10 86:6 90:22 92:17,22 96:16 115:3 123:14 136:15 158:13 171:23 177:16 202:9 203:18 moved 14:25 83:12,14 121:14 126:13 128:9 155:5,13 222:6 moves 196:12 moving 80:9 91:25 122:5 218:14 221:6 multi 141:10 multiple 11:24,25 57:2,14 92:6 107:17 163:23 multi-family 138:23,24 139:13,22 140:6 140:14,20,23 municipal 40:10 53:24 54:22	67:17 196:24 municipalities 36:18 191:2 municipality 36:21 184:21 MURPHY 231:14 muscle 191:15 Myrtlewood 200:9 mysteriously 44:15 mystery 58:2 N nail 48:3 74:13 nails 48:6 name 78:4 105:19 143:15 144:3,6 144:6 147:10,11 148:3 150:11 151:7 172:12 212:5,9 221:9 225:15 228:6 names 40:12 210:24 naming 19:16 nationally 151:13 nationwide 187:24 natural 9:7 26:19 nature 14:19 near 172:22 217:5 nearly 187:4 221:14 necessarily 16:8 25:5 54:12 131:2 necessary 20:8 94:3 188:21 need 22:8 39:14 39:16 42:6 46:19,23 50:13 52:4 53:21 60:14 65:4 67:11,22 68:2 70:18 86:17 88:9,12 89:15	90:14 98:3 102:20 109:3 116:7,25 121:6 125:15 127:22 136:3 137:25 138:2 152:20 156:10,13,16 157:23 158:3,5 158:10,12,20 159:19 165:24 167:6 170:7 171:6,11 173:21 177:23 183:10 183:12 188:22 190:7 196:18,21 196:21 219:24 222:4 224:15 needed 58:10 73:19 107:10 170:22 needs 12:16 19:6 30:22 47:20 95:14 98:11 106:14 193:25 209:25 227:23 negative 180:4 neglected 220:5 negotiate 155:17 negotiations 155:17 neighbor 81:16 123:10 224:2 neighborhood 19:14 118:2 120:15 128:8 132:15 141:17 141:19 188:2 190:5 196:17 200:7 neighborhoods 16:18 81:4 86:21 87:3 91:3 110:7 117:17,22 123:21 136:6 137:5 179:3 191:22 195:21 199:19,21,22,24	201:10,11 204:19,22 219:12 neighbors 123:7 180:10 nemesis 185:15 nets 93:23 network 95:24 never 49:6 83:20 100:9 122:16 143:25 new 3:19 10:22 22:8 25:16 50:2 53:7,8 54:14,15 54:16 66:18 79:9 80:4 85:8 91:5 97:9 98:9 102:25 103:13 108:16 113:11 123:4 125:5,7,7 132:12,25 162:10 164:23 189:22 192:12 195:24 198:5 205:23 Newark 108:21 108:23 newer 26:17 news 112:18 114:7 124:4 177:6 newspaper 74:18 189:21 next-door 123:7 123:10 nice 141:5 151:2 162:15 nicer 168:23 Nicetown 197:5 Nick 20:19 night 122:16 nine 83:2 150:22 Ninety-four 153:10 non-collection 17:19 non-compliance
---	--	--	---	--

113:21 non-neglectable 156:12 non-payment 52:13 53:14 63:4 non-profit 135:19 135:21 198:22 215:5 226:16 228:23 229:3 non-profits 195:23 non-reporting 18:20,22 non-senior 98:14 non-viable 174:13 normal 180:19 North 30:5 50:5,6 136:8 Northeast 127:9 133:15 note 99:16 notes 231:6 notice 83:15,20 84:10 152:13 169:11,11 185:12 noticeably 219:12 noticed 175:24 196:7 notices 61:12,21 62:10 182:16 notification 53:23 144:10,24 notify 194:19,19 notifying 194:21 notorious 226:11 not-for-profit 212:11 no-brainer 136:10 nuisance 195:14 213:4 number 7:8 8:17 16:7 25:17,22 26:13,23 50:6 58:3 59:8,15	61:3 62:14 64:22 74:10 75:23 82:20 88:21 89:9 91:7 109:23 137:16 150:20 158:16 158:17 174:8,11 174:14,21 176:2 176:4 189:24 205:13,15 208:21 214:2 215:21 numbers 106:12 109:17 162:15 169:18 170:5 173:22 215:19 nursing 222:15,15 222:18,20 nuts 135:6 nutshell 6:7,13 Nutter's 177:9 O Oak 176:9,9 objections 6:19 231:4 obligations 78:23 113:18 obliterate 210:10 observation 45:2 45:13 observations 17:22 obtain 184:4 obvious 20:5,7 obviously 9:8 11:24 12:7 13:6 24:24 69:18 78:15,19,22 79:5 84:5 100:19 126:2 129:14 137:4 156:20 159:17 169:8 184:5 192:6 occasions 96:9 occupancy 79:4	79:16 115:24 occupants 57:7 occupied 82:23 120:10,14 192:7 200:17 occur 33:7 192:18 occurred 78:16 122:10 October 85:2 odd 195:18 offenders 186:19 offer 45:17 95:24 107:4 129:3 149:17 154:19 154:20 office 6:15 33:14 39:24 47:19 100:10 118:7 147:19,20 166:17 167:13 169:10,16 217:6 224:22 officer 19:17 78:13 offices 46:22 171:10 official 100:20 officials 182:14 offline 25:19 oftentimes 103:24 104:12 Ogontz 176:14 oh 1:14 206:4,5 207:17 208:17 208:17 Ohio 84:17 okay 8:10 19:9 22:10 27:2 37:23 59:16 76:14 94:8 96:6 98:15,19 131:23 138:14 144:13 146:8,18 147:16 148:10,15 149:15 181:3,15 200:23 old 54:12 63:21	63:21,24 64:5,5 104:22 220:10 once 14:20 22:25 24:19 55:22 157:2,7 199:3 213:9,15 214:13 217:8 220:18 ones 42:14 75:18 162:10 one-and-done 159:20 one-fifth 65:13 one-page 155:8 ongoing 164:24 177:20 online 25:23 64:3 85:7 97:10 104:5 169:16 on-time 64:16 OPA 138:19 173:24 174:7,11 174:21 175:8 196:22 open 8:22 102:12 112:4 opening 122:18 177:10 operate 97:18 100:12 operating 20:12 31:10 74:4 149:7 operation 42:24 49:15 operations 19:13 opinion 195:2 203:25 opportunities 38:20 39:6 92:12 95:12,15 95:17 97:25 98:5 opportunity 6:5 12:13 14:15 15:13 40:5 41:25 75:21 80:11 85:23,23	87:18 90:15 94:15,20 97:8 103:16 110:18 111:19 127:20 166:7 183:19 184:23 205:13 212:16 214:21 230:2 opposed 42:22 167:12 opposite 118:20 option 107:25 109:5 204:18 207:20 options 35:16 107:24 order 23:5,13 37:13,15,20 53:22 81:20 91:21 107:10 129:16 161:2 186:4,8 191:20 orderly 115:13 orders 146:24 organization 72:24 191:18 216:9,23 226:16 228:8 organizations 135:19,21 191:19 208:2 222:23 227:15 228:10,15 229:22 ought 8:7 outbound 11:4 35:2 outcome 81:25 outcry 20:3 outline 53:5 outlined 66:14 80:3 outreach 40:21 outside 33:6 72:2 73:20,21 76:4 107:18 172:14 178:20 180:19
---	---	---	---	--

197:9 198:2 208:2 outsource 72:5 outstanding 7:14 7:22 29:14 31:14 79:15 126:5 out-of-Philadel... 17:25 out-of-state 17:25 out-of-town 56:25 overall 25:24 56:7 88:9 89:9 110:14,17 111:8 133:12 Overbrook 225:23 overestimate 71:6 overnight 73:3,8 73:19 78:16 oversee 6:10 oversight 71:2 75:8 owe 32:6 113:19 156:19 166:9 owed 2:19 3:2,7 4:4 5:4 78:17 112:21 113:8 116:4 179:12 owes 188:2 owing 112:14 owned 8:7 83:5 89:6 92:8,25 102:4,17,20,22 103:9 172:24 198:13,14 owner 57:13 81:13,22 101:15 132:21 143:21 154:6 156:4 161:18,21 179:19 185:12 186:9 193:23 194:3 204:11,13 224:5 owners 3:7 40:12 56:24,25 81:13	84:10 88:24 89:19 90:10,17 91:5 92:3 107:17,20 163:5 163:6,24,25 179:25 191:6 196:2 198:11 223:13 ownership 8:14 220:12 owner-occupants 2:21 3:2 120:8 owner-occupied 67:14 89:8,11 179:8,14 owning 124:15 owns 166:5 O'BRIEN 1:14 o'clock 49:21 50:8 193:7 O'Neill 137:18 O'Rourke 190:14 P Pacific 217:14 package 99:17 121:18 Page 18:6 pages 150:22 paid 14:25 23:15 34:8 83:5 88:16 146:7 191:11 208:24 216:16 217:13 Palmer 181:2 210:24 212:9,10 215:4 216:2,3 219:20 220:2,9 Panarella 20:20 panel 211:11 Panella 20:20 panels 171:22 panicked 169:10 paper 106:2 paperwork 25:5 parcel 123:2 128:6,9	parcels 109:25 112:20 115:4 119:16 121:21 122:6,22 130:3 133:7 135:22 136:12 174:7 Park 221:11 223:10 225:24 parking 123:12 parks 136:2 Parodi 181:8,9,12 211:2 220:25 221:7,9,10 part 15:8 27:23 45:19 68:7 74:12 78:10 88:8 111:9 151:18 156:7 165:6,17 170:6 175:21 212:2 223:9 228:10,11 228:23 participate 191:13 205:7 particular 11:10 19:14 47:25 82:17 93:21 94:19 97:7 99:20 132:25 166:22 196:22 229:2 particularly 29:24 66:6 77:14 195:9 210:4 parties 53:10 parts 86:12 136:7 136:8 156:2,3 party 52:22 53:13 54:4 55:4 120:21,23 121:4 208:9 pass 164:7,9 178:11 199:16 223:21 passed 82:14,15 82:16 144:4	159:4 167:2 168:15 passing 59:22 169:25 218:12 229:15,20 Passyunk 216:25 217:2 patience 150:15 211:12 230:8 Patrick 8:2 117:23 162:14 170:10 pattern 43:15 patterns 40:23 42:18 Paul 108:18 Paul's 108:19 pay 9:11 10:19,20 11:15,18 12:9 13:9,12,16 14:16,18 15:22 24:15,16 32:4 32:18 33:17,17 34:4,7,14,15,24 35:8,9,22 39:8 49:10 50:22 53:10,12 56:8 56:12,15 60:21 63:9 64:13 65:15,16 66:18 85:19 86:23 94:14 110:4 112:13 113:19 123:10 131:9,15 135:10 144:13 144:17 148:24 149:3,21 152:9 154:13 156:18 157:7,23 159:19 160:2 164:11 166:21 179:11 179:11 180:2 185:13,22 186:6 189:18 198:15 200:2 204:9 207:8,10 226:5 paying 13:4 15:14	16:10 25:25 26:4 48:10 53:24 56:22 60:20 84:11 86:16 89:21 112:25 114:15 131:7 134:9,14 134:16 144:11 145:3 146:4,15 147:5 152:15 153:8,15 158:23 166:6 175:12 186:20 191:24 payment 13:5 14:18 23:24 24:12 25:10 31:22 32:7,11 34:21 35:7,17 35:17 36:7 38:22 39:7 63:20,20 64:3 94:2,12,13 95:13 146:23 153:23,25 155:14 159:10 163:4 168:12 170:7 174:4,5 174:15 176:5,11 176:25,25 197:25 payments 16:12 18:17 35:23 36:3 38:21 64:17 65:17 127:13 152:21 152:25 154:11 157:3 214:17 payoff 86:18 pays 156:24 peanuts 120:12 PECO 61:23 63:18 67:21 peculiar 56:3,13 penalizing 149:25 penalties 63:23 112:23 149:16 149:20 157:4
---	--	---	--	--

159:24 179:13 200:22 215:11 215:17,20 penalty 35:24 59:10 113:20 200:25 201:3 penetration 174:3 176:6 Pennsylvania 1:6 182:6 183:15 190:17 209:11 221:11 people 9:11 10:18 12:8 14:17 15:12 18:18 21:5,11 25:25 26:4 27:25 28:4 31:7,11 32:18 32:23 37:19 39:4,7 42:12 46:5 48:5,11,24 50:7 53:10,11 53:11 55:14,18 56:3,10,14,21 57:6 60:14 61:24 62:5,8,11 63:19 64:2 66:5 66:7 72:20,22 73:21 74:16 82:2,25 83:11 83:19,23 94:2,7 95:11 96:18 104:4,8,14,21 110:3,6,23 124:13,25 126:15,23,24 127:14,16 129:4 129:22,25 134:9 135:4 137:4,5 137:21 140:5 148:18 149:18 149:22 150:20 151:3 153:23 155:7 156:14 157:16,18,21 158:5,7,15,23 159:19,22,23	164:11 165:19 165:22,24 166:20 167:21 169:9 170:7,10 171:5 176:11 184:8,9,10 185:14,20 186:15,19 189:23,25 195:24 197:6 198:10 200:21 202:7 204:15 207:9,13 209:20 217:22 221:15 222:3,18,22 224:11,13 225:6 227:15 229:21 people's 31:13 51:5 200:16 perceived 70:11 percent 18:21 42:12,22 43:8,9 43:11 51:15 53:9,12 58:21 69:10,25 70:12 75:12 79:3 103:7 106:22 107:3,4,11,13 107:16,16,20 108:7,11,14,14 109:2,6,7 110:15 111:6 113:4,4,7 118:3 118:12 125:23 125:23,25 127:8 127:11 130:6 134:7 156:24 170:12 176:7 177:24 200:17 201:3 226:8 percentage 18:20 43:11 57:13 64:21 65:13 68:23,25 70:13 73:8 76:10 127:2 157:4 percolating	202:18 perfect 106:13 154:18 200:8 perform 129:25 performance 173:19 176:10 178:3 period 26:21 41:2 63:7 65:21 129:23 155:6 191:10 periodically 152:9 permanent 221:18 222:4 permitted 187:12 person 52:16 81:22 82:11 85:19 96:10 117:11 131:6 136:18 156:23 161:5 185:11 186:5 187:11 194:4 197:16 214:10 personal 17:22 81:2 99:4 personally 86:7 163:12 191:14 personnel 20:8,13 72:25 persons 97:16 perspective 119:11 121:6 PGW 7:19,24 9:18 11:4 23:12 41:18 44:19,24 57:24 59:20 66:8 67:2,20 68:8 PGW's 7:21 ph 195:9 PHA 97:7,10,15 98:5 189:19,20 207:4 209:8 PHDC 91:19 phenomenal	176:10 philadelinquen... 172:17 Philadelphia 1:2 1:6 3:16 5:5,11 18:4,10 19:2 29:8,25 30:5 33:6,8 36:19,22 37:7 39:25 41:20 42:8,20 44:21 46:3,11 46:17 49:24 66:21 70:25 75:8 77:22 78:14 85:15 86:23 87:19 89:7 92:19 95:20 105:21 106:6 107:19 108:25 109:14 109:25 110:19 110:24 111:5,21 113:15,23 115:9 116:5,11,22 119:17 123:16 124:10,19 125:9 127:10 151:9,13 160:17,21 166:13 172:23 181:22 182:24 193:20 194:10 195:20 197:10 197:11 206:13 212:7 213:8 217:15,16 218:12 222:13 222:16,17 225:22 226:9 227:22,23 228:14 Philadelphia's 226:18 Philly 50:5,6 136:9 158:11 philosophy 71:4 phone 11:16 13:13 74:8	physical 224:14 PICA 71:2 pick 119:22 120:2 120:3 188:22 197:6 picture 133:12 pie 125:17 piece 80:7 99:15 126:4,7,8 130:14 158:3 159:16 203:11 pieces 84:25 126:4 piggyback 214:25 pill 163:2,3 Pinckney 172:3 178:16,17 181:20 199:17 208:19 pinpoint 162:13 place 11:20,22,24 82:5 93:19,24 96:13,15,18 100:9 101:19 110:6 114:22 123:12 157:25 158:9 207:14 222:8 placed 24:19 places 93:14 189:25 plan 63:21 64:3 77:9 95:13 129:2,15 163:4 174:15 PlanPhilly/Inq... 89:4 plans 36:7 38:22 39:8 63:20 94:13 101:13 168:13 174:4 play 42:17 123:13 135:19 160:8 playing 178:8 200:15 plays 49:11,12 157:17
---	--	---	---	---

PLA's 169:10	156:8 167:24,25	138:24 207:21	172:18	199:11,14 229:8
Pleas 187:6	187:19 206:23	predisposition	primary 19:10	problem 7:23
please 2:12 6:9,11	politicians 10:16	33:17	prime 44:7	14:8,13 30:22
27:9 78:7	pool 120:4 170:10	prefers 210:9	principal 6:14	34:19 55:19
105:17 143:7,13	poor 91:12 160:22	prepared 191:13	35:24 59:10,18	70:24 73:23
148:2 169:4	population 86:15	presence 183:13	64:4 66:12	88:4,8 113:11
172:9 181:16	93:18	present 1:9 41:8	149:15,21	114:13,16
197:18 209:21	populations 95:8	174:12 203:13	156:22,25 157:7	126:10 146:3
211:3,22 212:2	portfolio 40:15	210:6 213:22	174:23 201:5	169:20 179:6
212:13 218:2	portion 102:15,16	presentation 6:2	prior 25:15	210:6 214:10
221:5 225:13	portions 214:24	presently 188:23	163:21	219:19
229:18	position 14:15	President 1:10	priorities 195:3	problems 47:22
pleasure 6:11	15:13,21 17:7	2:2 5:6,14,18,23	prioritize 40:7	67:6 111:11
plenty 211:16	52:20 106:3	6:8 8:20,24	73:10	133:14,16 134:7
plucked 72:24	positions 48:5	15:23 19:8	prioritizing 42:9	149:23 155:11
plumbing 219:22	positive 44:20	21:21 22:9 23:9	117:4	158:8 196:10
plus 208:25	92:13 119:14	23:16,25 24:10	priority 20:25	201:25 204:25
point 7:24 8:21	130:22,23	25:11 26:25	21:14 22:7	procedure 74:13
28:8 36:23,23	possession 180:12	27:6,7,19,23	39:17 89:18	184:4,17 186:22
37:13,14 43:11	183:23	28:13,17 30:4	98:7	188:4 189:3
46:2 53:22	possible 27:14	33:4 36:10,11	private 55:23	192:19,19 203:4
67:23 68:23,25	79:7 117:12	37:12,15,25	102:8 103:17	procedures 2:17
70:4 76:10,20	141:21	38:5,10 39:23	119:19,20,25	2:23 3:25 4:7,17
88:22 89:2	possibly 23:6	47:4,9 58:7,14	126:14 129:24	4:21,25 18:5
100:7 103:22	33:12	58:25 68:12,17	131:5,6 151:11	20:19 101:19
109:22 119:18	posting 63:24	76:16 77:12,20	151:16 160:24	proceed 78:7
123:24 124:3	posture 18:15	78:8 99:18	162:3 198:21	105:14,18 143:8
128:6,24 130:7	potential 52:19	105:20,22	207:12 212:6	163:8 211:23
136:3,8 141:22	180:15 202:6	114:21 121:16	213:19 215:23	212:14 225:14
154:18 159:17	potentially 15:18	129:21 130:15	privately 92:8,25	proceedings
160:6 162:21	23:23 53:16	178:17 183:5	102:4,17,20	231:4
164:4 166:25	57:25	212:10	103:9 198:13,14	process 32:6
196:5 197:2	pothole 20:6	President's 115:3	privatization	54:20 62:15
209:23 210:3	poverty 67:10	pretty 34:22,23	108:5 109:4	69:20 74:13
pointed 69:23	power 168:17	120:7 134:4	privatized 108:7	81:23 82:3
125:19	185:7 223:3	143:5 160:19	120:23	83:20 84:4
points 6:17	Powerball 195:11	195:18 201:6	privatizing	87:10 91:14,25
110:16 112:4	198:16	prevent 45:15	108:12	92:23 100:5
113:5 151:21	powerful 187:4	prevented 91:10	pro 148:13 160:25	101:4 102:3
160:20 169:8	216:22	previous 100:15	proactive 39:4	103:3 140:7
poison 163:2,3	powers 102:25	pre-program	92:24	144:5 167:7
Police 180:7	PRA 129:9	64:12	probably 6:14	178:3 182:12,20
policies 10:23	practice 63:25	pre-screen 101:20	12:25 26:15	197:4 198:25
91:15,16 100:11	64:6 207:13	price 44:12 81:18	34:15 72:17	204:21 208:11
156:15	212:7	110:2 141:10	76:5 120:6	210:15 218:17
policy 84:14 90:2	practices 5:3 9:14	222:10	137:19 173:20	218:18
100:2 111:20	10:4 72:3 74:15	primarily 12:5	175:16 181:7	produce 142:2

produced 175:3 175:24	properties 3:8 4:15,16,20 8:6	228:21 229:4,11 229:12,23	200:3 207:7 208:15,16,20	91:19 92:5,10 95:14 103:5
productive 88:10 90:18,24 93:3 101:7 121:13	8:17 14:7 25:18 25:20,23 26:16	property 8:13 11:21 12:2,14	210:5 212:24 213:10,13,14	104:18 111:20 118:24 119:25
profession 51:14 133:2	26:17,19 33:5 57:2,13,14 81:3	12:15 14:5,5 15:3 25:7 39:24	214:9,11,13 216:20 217:8,12	193:12 203:23 213:4 227:16
professional 33:2 45:23 128:23	81:7,9,19 82:3 82:22 85:6,15	40:3,9,11 43:21 44:11 52:11,13	219:4,6,24 220:5,14	231:15
professionalism 116:20	85:25 86:6,12 86:14 88:6,8,18	53:15,23 54:17 56:24,25 81:15	proposal 53:5 115:11 156:21	publicly 92:25 102:21
profit 21:10 166:8	88:21,25 89:5 89:10 90:3,11	81:18 82:24 83:2,4,16,17	202:17	published 173:25
profit-generating 228:20	90:16,23 91:2,5 91:8,11 92:2,9	84:10 85:22 86:24 87:24	proposals 115:3 proposed 2:22	PUC 10:3,3 61:12 62:10
program 13:2 14:10 15:8,20	93:2,4 101:3,5 102:13,17 103:2	89:17,19 91:19 91:21 101:9,12	3:19 4:7 180:18 proposes 2:18 4:3	pull 40:11 103:2
42:18 64:10 65:10,14,19	103:7 104:19 106:17 107:18	101:15 102:5 104:9,11 106:11	4:18 5:2 proposing 156:23	pummeled 195:19
66:14 73:9 127:15 145:2	112:19 115:8,18 118:18 119:2,3	107:19 110:9 111:12 112:16	165:15 209:24 proposition	purchasable 53:4
146:15 150:9 151:14	120:3 121:12,14 122:14 124:2,4	112:20 114:23 115:5,14 117:21	160:12 prospects 227:6	purchase 126:15
programmatica... 173:10	128:22 129:11 130:3 131:18	118:10,12,24 119:6 120:14	prosper 124:18 prosperity 118:19	purchased 22:23
programs 12:11 15:15,17 38:19	134:2,11 141:25 162:17 166:6	122:2 125:24 128:2,12 130:10	protect 94:7 protected 17:6	purchases 161:20
41:18 42:4,13 150:5 157:20	174:10,14 175:17 178:22	131:3,9 134:12 137:3,15 138:12	56:10 166:19 protecting 56:3	purchasing 21:12 214:11
progress 79:17	179:5,8,14,15 180:13 182:9	139:16 140:8,12 140:16 141:23	protections 95:9 95:21	purpose 10:17 90:9 129:8
progressive 167:24	184:2 185:4,21 186:16 188:11	142:2 144:2 152:4 175:7,11	proven 154:14 provide 15:16	182:4 purposes 78:25
project 166:14 199:14 225:17	188:18,19,23 189:14,15,17,19	176:2 179:17 180:5,9,15	28:25 88:12 124:24 169:17	pursuing 33:4
projecting 70:24	191:7,17,22 196:9 197:3,7	182:17 183:20 183:22 184:14	194:15 provided 162:12	push 85:18 87:10
projections 77:8	198:17 204:12 204:18 205:14	184:16,25 185:12,18	provides 102:25 160:21 182:8	94:3 101:2 173:5
projects 29:25 75:11 135:24	206:25 208:22 208:23 209:3,11	186:10,11,20,24 187:9,10,14	providing 98:2 107:3 170:3	pushback 167:4
prominence 227:9	209:15,15 210:16 212:19	189:5 190:2,5 191:6 192:7,8	213:21 217:9 227:8	pushed 82:9
promising 202:3	213:3 215:7,11 215:13,15,21	193:24,24 194:5 194:7 195:11,13	proving 220:4 provision 194:7	pushing 81:19 82:3
promotes 112:8,9	216:11,13,18 219:2,17,21	196:2,5 197:13 197:22 198:2,3	194:13 public 2:16 3:5,14	put 19:22 29:11 29:13 41:22
prompt 35:22 38:21	226:6 227:3	198:11 199:2,25	3:25 4:14,24 14:21 85:4	49:3 61:11 70:10 72:25
prong 12:3				74:5 84:10 88:10 99:21
propensity 34:4 65:16				101:2,19 115:7 115:17 120:4
properly 227:13				128:12 133:11 167:19 171:12

putting 44:9 50:7 109:10 125:15 145:20 167:25 168:19 puzzle 203:11 p.m 1:7 230:21	1:15 168:7 226:25 229:17 Quinones-Sanc... 115:11 quite 14:16 63:14 155:22 167:8,12 213:24 quiver 179:22,23	ratios 177:2 rats 229:12 reach 220:12 reached 152:19 reaches 24:4 react 200:19 reaction 132:11 reactivate 15:4 65:23 reactivation 14:24 read 2:12 111:23 118:5 150:22 201:21 ready 61:3 111:8 111:9 real 2:19,25 3:6 3:10,17,21 4:4 4:10,19 5:4 19:21 22:7,12 23:18 24:5 25:2 32:24 44:8,10 44:23 50:22,24 56:13 58:19 68:21 72:5 79:3 79:15 89:12 101:13 106:21 107:7 108:13 109:15 114:13 115:23 125:3 126:21 128:2 132:11,14,20,24 133:9 135:13 136:25 145:14 154:21 167:19 172:18 179:2,7 180:3 183:23 192:11,12 194:24 202:5 204:6,8 207:10 207:21 208:3 217:25 reality 165:14 realize 75:5 106:7 106:9 107:7,24 108:9 121:12 realized 121:23	really 9:16 16:23 21:13,20 27:14 30:2 51:8,12 52:7 57:6 70:5 81:3,25 82:15 87:9 88:24 89:17 90:14 92:13,23 96:11 98:2 100:6 123:2 126:3 134:18 140:25 142:6 164:4 167:7 168:24 169:7 173:22 177:21 181:7 192:11 193:15 196:7,14,18,21 203:4 207:19 219:18 229:23 realtor 139:3 realtors 105:22 106:6 129:12 reality 118:22 reap 214:12 reappear 40:24 reason 44:5 101:18 128:3 166:22 184:22 204:5 209:13 reasons 12:5 93:14 150:2 Rebecca 213:24 rec 20:6 recall 20:19 recapturing 84:18 receipt 11:14 receipts 146:6 receivable 7:9 12:4 21:7 receivables 12:6 receive 23:6,6 24:17,19 25:10 45:15 received 10:21 18:12 144:9 152:13	receiving 179:12 recession 195:18 recipients 23:13 recited 6:16 recognize 116:25 134:12 136:22 175:2,18 213:18 recognizes 27:3 36:13 38:7 47:6 58:22 68:14 recommend 55:10 90:21 109:19,21 recommendatio... 32:15 33:13 93:20 213:25 recommended 6:22 67:5 recommending 8:4 110:14 record 7:22 20:16 37:18 67:19 78:6,10 91:12 105:18 112:3 138:7 143:7 150:23 152:25 153:2 154:6 156:4 158:25 159:15 161:18 163:6,24,25 168:16,20 212:2 216:8 218:8 221:3,8 recorded 174:9 recording 16:13 172:7 records 17:3 recoup 90:5 recover 213:13 recovered 6:20 recovery 23:7 recycled 105:23 199:20 229:6 recycling 198:25 red 97:12 228:18 redeem 53:12 redemption 82:22
Q	R			
quandary 147:7 quarters 96:15 quest 179:23 question 16:2 19:22 21:22,24 25:12 42:6 43:4 44:18 68:18 76:21 97:3,20 108:2,4 118:22 121:11 126:12 128:5,19 132:8 138:17,18 164:17 207:18 217:24 questionable 19:13 questioners 47:11 questioning 28:7 questions 8:23 16:9 27:13 28:3 28:18 47:3 80:13,16 87:16 105:4 112:5 116:22 128:21 171:17 172:10 193:8 194:24 217:20 218:17 quick 44:24 127:25 137:13 138:17 154:18 194:24 209:19 209:23 217:25 218:16 quickly 22:12 76:13 86:6 104:6 120:6 151:20 171:23 220:14,18 Quinones-Sanc...	race 124:9 radio 178:9 raise 77:6 114:24 124:14 raised 115:22 137:24 raising 50:18 114:24 137:3 ran 20:23,23 71:8 range 75:12 76:6 109:17 rapidly 219:7 Rashida 181:14 211:2 228:6 rate 20:22 25:16 25:24 26:4 48:22 50:19,19 52:2 53:9 62:11 62:15 68:19,21 69:21,25 70:18 70:23 74:24 75:14 76:21 79:22,24 107:3 107:4,10,12 108:6,8 110:15 111:6 113:3 117:10,13 127:11 133:7 158:18,21 169:14 195:22 196:11 197:6 198:21 219:5 226:9,12 rates 24:20 75:11 127:5,7 139:14 140:21 179:13 ratio 176:6			

redevelop 115:6	rehabilitated	208:17,24	109:13	88:1 89:1 90:1
Redevelopment	214:14 216:13	209:16	reputation 46:4	91:1 92:1 93:1
8:11 91:18	rehabilitating	rental 57:3 97:25	request 16:4	94:1 95:1 96:1
redevelopments	212:12	98:6,10 141:8	25:16 111:22	97:1 98:1 99:1
86:9	rehabilitation	179:8,14,15,21	requests 60:11	100:1 101:1
redlining 86:20	213:11 214:9	183:21,21	require 10:21	102:1 103:1
87:4	rehabs 198:3	184:15,24	44:4 101:20	104:1 105:1
reduce 3:10 25:24	relate 74:20	189:16 191:5	required 2:24	106:1 107:1
26:3	214:24	208:15,16 210:5	3:10 4:9 24:3	108:1 109:1
reducing 7:22	relates 26:5 58:19	rented 172:23	25:6 61:12	110:1 111:1
64:4 226:19	100:11 135:23	188:24 191:23	62:10 82:10	112:1 113:1
reduction 12:4	166:18	renters 127:3	83:11 84:2	114:1 115:1
reductions 63:23	relation 223:19	renting 127:16	requirement 83:9	116:1 117:1
reexamine 110:19	relationship 24:5	rents 139:16	83:10	118:1 119:1
refer 217:17	99:23	140:24 142:3	requirements	120:1 121:1
reference 74:14	relative 47:15	188:24	61:14	122:1 123:1
referenced 19:19	76:21 161:19	rent-to-own	requires 10:7	124:1 125:1
88:15 89:3	relatively 222:9	161:20	requiring 161:9	126:1 127:1
references 22:14	released 173:7	repair 20:6	182:19	128:1 129:1
referencing 28:7	relies 78:24	repeat 186:18	RES 3:1 4:1 5:1	130:1 131:1
117:16	reluctant 210:7	repercussions	6:1 7:1 8:1 9:1	132:1 133:1
referring 90:7	remain 89:14	88:17,20	10:1 11:1 12:1	134:1 135:1
166:12	225:21	replace 20:8	13:1 14:1 15:1	136:1 137:1
refinancing 24:20	remains 22:19	replaced 12:17	16:1 17:1 18:1	138:1 139:1
24:22	remarks 9:4	26:18,24	19:1 20:1 21:1	140:1 141:1
reform 113:12,22	216:6	report 18:25	22:1 23:1 24:1	142:1 143:1
refuse 49:9	remedy 186:2,2,7	30:17 117:23	25:1 26:1 27:1	144:1 145:1
refuses 186:6	206:13	reported 18:22,23	28:1 29:1 30:1	146:1 147:1
regain 80:8	remember 37:6	74:18	31:1 32:1 33:1	148:1 149:1
regard 95:6	70:13 141:24	reporter 231:23	34:1 35:1 36:1	150:1 151:1
regarding 105:24	200:14	reporting 31:7	37:1 38:1 39:1	152:1 153:1
132:12 135:16	reminds 134:24	reports 30:15	40:1 41:1 42:1	154:1 155:1
regimen 215:14	remiss 162:5	117:18	43:1 44:1 45:1	156:1 157:1
register 83:11	removed 43:24	represent 214:18	46:1 47:1 48:1	158:1 159:1
registry 83:11	44:6	representative	49:1 50:1 51:1	160:1 161:1
regular 166:12	Rendell 20:15	190:15 214:22	52:1 53:1 54:1	162:1 163:1
192:23	Renewing 85:4	217:5 218:9,23	55:1 56:1 57:1	164:1 165:1
regularly 18:5	renovate 104:10	Representatives	58:1 59:1 60:1	166:1 167:1
regulation 10:2	rent 184:24	10:15	61:1 62:1 63:1	168:1 169:1
10:14	185:13,23 186:5	represented	64:1 65:1 66:1	170:1 171:1
regulations 29:18	186:6 187:7,11	213:20	67:1 68:1 69:1	172:1 173:1
rehab 101:12	187:12 188:13	representing	70:1 71:1 72:1	174:1 175:1
219:5	188:13,20,25	80:21 106:5	73:1 74:1 75:1	176:1 177:1
rehabbed 219:6	189:18,18 190:4	153:19	76:1 77:1 78:1	178:1 179:1
rehabilitate	190:4 191:9,21	reproduction	79:1 80:1 81:1	180:1 181:1
187:14 212:24	193:24 202:20	231:20	82:1 83:1 84:1	182:1 183:1
215:6,24	204:16 207:2	republican	85:1 86:1 87:1	184:1 185:1

186:1 187:1	resolving 111:11	returns 30:11	REYNOLDS	Rob 47:19
188:1 189:1	resource 31:6	31:6 75:12	1:15	robbing 29:10
190:1 191:1	111:10	revamping 227:7	Richard 142:24	role 135:20
192:1 193:1	resources 2:24	revenue 8:5,15	143:15 212:5	roll 212:20
194:1 195:1	3:9,19 4:8 19:25	16:22 18:4,24	Richardson 59:22	rolls 88:11 115:8
196:1 197:1	29:10 34:9	19:3 20:14 22:4	Richmond 217:4	115:18 119:4
198:1 199:1	35:17 42:10	26:5,20 30:8,20	219:7	121:16,22
200:1 201:1	102:9 114:2	41:24 47:17,18	Rick 77:23 87:19	128:13 184:2
202:1 203:1	180:7 199:8	48:17,17 50:14	99:13 181:2	219:11
204:1 205:1	214:16	53:20 60:4,11	210:25	roofing 49:14
206:1 207:1	respect 22:21	70:16 71:24	ridiculously	roofs 50:7
208:1 209:1	64:18 116:19	76:23 77:4,7	163:18	room 1:6 77:14
210:1 211:1	216:4	79:13 88:11	right 6:7 9:6 19:7	roughly 144:17
212:1 213:1	respects 214:7	90:6,7 114:3	27:22 28:11	round 27:12
214:1 215:1	respond 64:7	122:3 123:25	29:19 30:13	rounds 28:3
216:1 217:1	responded 196:25	124:22,23	33:9 40:8 55:8	row 123:11,17
218:1 219:1	responding 16:3	125:14 126:2	56:5,16 57:10	127:9 139:2
220:1 221:1	response 30:19	144:8 145:2,4	57:20 60:9 69:8	141:4
222:1 223:1	93:22 171:18	145:16,23	69:12,22 70:3	RPR-Notary
224:1 225:1	responsibilities	146:12 153:13	77:21 78:20	231:15
226:1 227:1	73:21 122:13	154:20 156:6	79:12 82:21	rule 159:20
228:1 229:1	responsibility	157:14 166:3	84:23 91:6	run 12:6 17:4,15
230:1	16:24,25 19:11	168:6 173:9,16	101:2 102:7,10	162:15 169:19
resales 119:8	64:10 65:9	173:19,24 174:9	106:16 112:24	172:16
research 107:14	180:2	174:19 176:13	127:21 131:12	running 12:17
203:12	responsible 48:10	177:23,24 182:2	133:20 137:14	13:25 39:10
reservations	65:25 83:15	185:8 196:12,13	142:16 144:15	47:21 58:3
56:17,20	90:17 91:5 92:3	197:24 199:7,13	147:7 148:24	169:18 170:5
residences 82:24	194:5 204:14	202:12 205:7	152:23 154:10	200:14
residential 3:8	229:19	212:18 217:16	158:9 165:3,5	
50:22 65:11	rest 160:7 201:18	revenues 6:14	170:19 171:12	
82:24 112:11	restore 227:9	13:21 18:21	172:15 177:7,12	S
119:2	restriction 27:17	24:6 71:6 79:2,3	181:5 183:25	safe 226:13
residents 44:22	result 48:21 58:17	84:8 113:16	184:14 185:11	safety 93:23
98:10 113:23	88:20	114:24 121:23	194:16 195:17	sale 22:25 23:20
196:8 222:12	resulting 216:15	177:17	198:2,6 200:12	24:7 43:23,25
227:9	results 225:22	Revenue's 173:12	208:19 209:19	44:7,16 52:19
resistance 228:18	resurgence	revenue-genera...	222:19 224:9	55:3 81:12,20
Resolution 2:7,14	195:20	228:20	rights 221:15	83:18 84:4 86:8
3:3,12,23 4:12	retained 20:20	revenue-produ...	ring 199:4,5	86:25 91:7,14
4:22	return 39:20	199:23	rising 94:21	99:16,19,21,25
resolutions 1:18	51:10 62:11	review 18:16	risk 13:4 34:3	100:11 101:3
2:13 230:17	74:24 75:11,14	30:11 31:24	63:3,4	102:2,2 103:3
resolve 223:3	76:22 117:8	reviewing 3:15	risk-based 13:3	108:15,22 109:3
224:17 225:4	136:13	Revitalization	33:25 61:16	109:11,19,21
resolved 17:17	returned 130:11	225:17	Rita 76:7	119:9 129:5
30:22	219:9	reward 214:12	road 44:19 123:19	130:25 131:3,4
				173:6 182:10

189:4,15 197:7 213:12 214:7,15 217:10 227:12 sales 8:18 18:16 18:20 22:21,22 103:23 104:18 104:21 109:7 115:24 118:23 128:24 130:19 130:21 189:10 216:17 224:22 salon 48:4 salute 8:2 Sanchez 40:4 58:23,24 59:16 60:9 61:6,20 62:3 63:15 64:20 66:3,22 67:7 97:6 99:9 99:10 103:18 104:23 110:8 229:24 sanctions 46:9 sat 47:17 85:16 satisfactory 17:10 satisfied 32:3 213:15 214:15 Sauer 77:23 87:15 87:17,19 94:9 95:6,10,23 97:19 100:17 sausage 163:10 save 110:16 158:11 saving 210:16 214:15 saw 141:22 Sawyer 172:3,12 172:13 188:17 195:6 209:22 saying 18:25 37:16 43:14 46:5 52:18 148:19 159:2 163:10 189:9 200:23 206:8,8 224:5	says 52:25 84:3 156:16 190:23 207:8 224:3 scattered 92:6 95:4 scenario 218:20 scenarios 132:16 Schmidt 86:10 school 2:20 4:5 5:5 77:22 78:14 78:18 79:16 88:13 177:22,25 schools 117:9 Scioli 212:10 score 13:7 14:17 34:2,3,25 searching 118:7 season 177:11 second 11:2 27:8 46:2 173:3 secondly 91:4 secret 78:20 Secretary 18:24 section 133:15 221:12 223:10 223:16 sections 24:25 sector 50:20 227:8 see 17:3 24:14 41:23 49:22 68:18 70:8 76:12 77:18 99:3 101:7,17 103:13 108:21 115:17 124:17 128:23 131:8 134:3 139:3 145:18,19 163:11 170:13 180:24 191:5 196:23 201:16 202:4,7,15 203:2,3,15,16 224:3 228:23 seeing 48:21 62:13 169:8	171:19 seek 93:10 seeks 226:18 seen 20:3 28:23 85:15 86:7 89:24 96:9 134:2 153:16 195:20 213:7 225:23 229:9 Seldin 142:25 148:5,12 149:8 150:17 159:7 160:15,16,17 164:22 165:3 168:3 self-regulating 29:20 sell 25:6 55:22 57:25 91:4 101:11 109:6 123:5,9 138:13 141:9 198:20 219:4 selling 22:16 100:13 110:2 123:3 130:3,24 133:18,21 135:16 seminar 109:9 Senators 10:16 send 9:19 35:5 46:24 54:20 144:24 153:24 158:5 166:15 182:16 185:8,12 186:8 188:13 191:14,18 sending 24:11 83:15 senior 96:15,21 97:22 98:13,14 seniors 93:13 94:18 97:13,13 sense 58:16,18 112:9 136:14 156:12 sensitive 165:19	sent 18:17,24 61:21 171:10,10 196:24 separate 72:23 97:5 136:7 sequester 183:9 183:14 184:15 184:24 188:12 188:24 189:17 sequestering 183:4,7 206:21 sequestration 182:25 183:2,17 183:18 186:22 187:16 190:23 192:15 193:19 202:25 204:2 206:11,19 207:19 sequestrator 185:10 187:8 191:20 208:9 series 8:3 37:4 46:9 69:23 89:4 112:18 124:4 125:19 serious 180:18 seriously 10:5 46:16 serve 162:9 220:18 service 28:25 116:20 169:17 170:3,18 205:25 services 7:15 25:21 88:12 117:3 124:24 125:15 148:5 151:9 160:22,24 161:3 162:3,7 163:17 service-wise 165:22 serving 97:12 set 49:14 72:22 131:12 142:23 155:16 157:9	167:15 sets 156:10 159:20 setting 48:22 50:18 157:17 settle 153:25 seven 27:18 111:2 seventy-five 165:2 severely 94:25 sewer 7:11 59:8 shape 108:24 share 30:21 51:7 84:12 113:2 166:7 sharing 31:3 32:16 68:9 sharp 169:9 sheets 41:4 Sheffield 217:4 Sheldon 119:20 shelters 40:13 Sheriff 8:18 22:21 22:22,25 23:20 43:23,24 44:6 44:16 81:12,20 84:4 86:8,24 91:6,14 99:16 99:18,21,25 100:4,11,15,16 100:19 101:3,18 102:2 103:3,23 118:23 119:9 128:24 129:5 130:19,21,25 131:3,4 173:6 186:9 189:4,10 189:14 197:7 214:7 227:11 Sheriff's 100:10 100:23 167:13 224:22 shift 39:9 shifting 40:18 shocking 51:12 short 191:10 219:13
---	---	---	---	--

shortcomings 2:22 3:18 4:6	simpler 186:7	158:13	47:9 154:5	175:14
shorter 149:12	simply 22:17	slim 75:15	177:22 181:16	spring 80:20
shortly 77:18	158:13 185:11	slow 34:7 35:7	217:14	94:15 172:13,14
82:14	191:8	81:21	sort 12:20 42:14	Square 217:2
shot 41:21 119:23	single 60:21 155:7	small 80:7 81:5	66:7 90:6	Squilla 1:16 68:15
191:21	156:11 161:5	86:9,11 132:8	103:24 104:13	68:16 69:6,9,13
show 17:23	173:23	162:7 170:10	128:19	69:17 70:3
138:24 156:5	single-family	smaller 63:8	sound 189:12	71:13,18,21
229:19	138:21,22,25	smart 40:17	sources 107:12	72:9,12 73:24
showed 117:23	139:9,11,20,25	smarter 207:15	South 123:14	74:23 75:22
showing 127:17	140:2,5,17,18	smartly 127:22	197:10 212:7	76:14 108:3
212:25	141:5,9,25	Smith 206:17	so-called 226:4	128:16,17 130:8
shown 34:12	142:5	smooth 39:10	spaces 227:20	130:17 131:11
157:2 213:4	sir 5:7 6:9,10,11	47:21	speak 80:11	131:23 136:23
shows 169:12	15:24 27:2 28:7	Snyder 212:8	147:25 168:25	138:15,16 140:4
shut 9:10 12:21	80:17 144:22	soaring 226:11	202:11 209:20	141:12,18 142:8
35:6 44:25	147:9,23	social 204:24	212:17	142:16
61:17 63:2	sit 101:9 131:9	society 205:2	speaking 39:14	Squilla's 76:21
shut-off 10:22	196:3 214:11	sold 54:3 108:15	199:19	95:2 216:25
61:2	site 86:10 103:11	110:11 120:5	special 42:22 57:6	SRC 177:19
shut-offs 61:4	sites 30:3	123:6 213:15	specific 11:5,6	staff 114:3 166:16
62:15	sitting 57:12	Solicitor 188:9	43:20 44:4,5	168:8
sick 198:19	149:6 169:17	206:16 207:8	219:21	staffers 195:8
side 75:16 86:11	170:19 171:7	214:17	specifically 47:15	stage 59:14
86:12 93:12	175:7 190:12,13	solution 58:20,20	114:11,17	Staggering
102:10 122:4,5	190:18 195:15	88:9 111:10	137:23 206:18	107:21
165:9 198:24	195:15 198:12	192:11 202:6,9	213:23 216:10	stand 111:8
signal 97:11	201:17 203:6	203:8 205:23	spectrum 98:10	185:16 205:5
signed 92:20	208:19 210:13	solutions 195:5	speculator 101:8	standpoint 62:23
significance 24:13	situated 219:13	203:24	speed 115:12	84:14
significant 9:11	situation 11:10,12	solve 163:19	199:2	stands 111:9
9:25 25:22	29:20 48:23	solves 203:8	spend 21:19 34:10	191:13
26:12,22 64:16	56:14 57:17	somebody 21:25	34:10 35:10	Stanski 77:21
84:8,22,22	59:25 66:8	30:14,15 40:14	41:13,22 187:10	78:4,12,13
102:15 162:7	74:21 90:13	45:15 80:23	199:9 210:18	start 2:4 48:24
silly 17:17	99:15 141:2	83:3 85:18	spending 28:20	65:18 67:16
silo 100:12	145:22	104:8 128:25	41:15 74:4	80:5 83:21
siloing 158:4	situations 11:6,25	154:10 182:18	121:19,24 140:7	87:22 106:16
silos 97:18	64:9 97:16	194:17,17 200:2	140:10	131:7,10 136:5
similar 32:13	100:24 139:21	203:2	spent 74:25 75:5	143:6 144:11
91:15 149:23,23	149:23 225:5	Somers 172:3	224:25	145:3 146:15
222:23	six 73:4 189:16	Somerset 198:9	spinning 102:18	147:4 192:18,19
similarity 37:17	217:11 218:20	soon 92:22 143:5	spiral 88:21	199:13
similarly 174:16	219:14 230:17	sooner 199:18	spoke 121:17	started 26:9 81:9
simple 107:24	sky 125:18	200:19 201:8	160:19	127:6 151:10
187:4	slide 88:25 124:5	sorely 136:3	spot 119:8 192:3	155:2 199:24
	slightly 33:18	sorry 23:10 37:15	spreadsheet	starting 166:25

216:11	stick 160:5	215:12,22	support 45:22	11:16,20 26:2
starts 52:3 86:25	stone 167:15	219:24	72:21 106:17	31:10 46:8 74:9
211:11	stop 12:21 14:12	submit 30:12	113:25 114:11	74:10 81:20,21
state 9:6 10:14,15	50:9,10 86:20	203:10 216:7	114:17,20 115:2	88:5 106:13,14
10:16 18:23,24	stops 60:20	submitted 5:19	115:10 130:5	119:10 126:17
45:21 71:2	stores 17:24 18:18	214:22 218:10	165:25 166:17	131:12 153:22
78:25 82:10	straightforward	229:17	168:16 213:21	154:22 157:10
96:20 102:24	153:21	subsequent 24:6	supported 92:20	157:18 158:9
108:16 109:2	strategic 102:16	substantial	supporting 162:6	166:23
125:5 182:6	strategically	228:24	supportive 96:4	systematically
185:21 187:2	90:25 92:7	suburbs 49:13,25	101:24 115:17	120:7
190:17 209:10	strategies 10:9	success 12:3	supports 98:3	systems 74:5
218:11	13:17 64:25	20:22 44:19	112:7	158:14
stated 117:6,17	80:3 199:12	successful 70:23	suppose 207:18	
statement 105:14	strategy 13:13	206:20	supposed 20:11	T
141:3 146:8,9	43:17 68:7	successfully	48:15 84:2	tab 190:22
146:10,10 165:7	71:23 79:10,11	216:24 218:13	136:24	table 5:13 62:5
statements 20:10	80:4 92:24	sued 152:14	sure 28:2 39:23	64:25 77:25
132:8	Strawberry	153:18 173:2	40:2 42:16 56:2	105:10 143:3
states 72:4 153:17	225:23	sufficient 23:14	61:24 84:11	172:5 211:5
statewide 190:15	stream 41:24	23:17	89:13,20 93:25	tacked 174:22
stating 40:4	70:16	suggest 29:12	94:17 101:4,13	tackling 14:11
statistic 189:6	streams 26:20	108:12 110:2	105:19 112:12	tag 151:21
statistics 174:2	street 35:6 43:22	147:17 176:12	117:14 152:24	tailoring 99:21
statute 156:10	141:24 197:23	182:4 184:22	159:13 166:2,18	take 10:3 19:11
157:11 182:6,8	198:3 200:9,15	192:10	167:6 179:20	20:5 35:3 36:6,9
statutory 182:21	219:8 220:11	suggesting 121:5	198:15 209:2	40:25 41:21
stay 47:9 94:20	229:10	209:8	221:18,24	46:16 49:17,18
123:15 151:15	strenuous 182:18	suggestion 43:20	223:15,17	59:2,19 61:15
167:22	strike 160:3	107:23	224:19,23 229:7	63:10 81:24
staying 150:16	198:16	sum 15:7 86:8	surplus 71:10,15	106:15 130:4
steadily 154:23	striking 175:23	94:14 157:23	71:17 118:24	134:22 153:20
155:5 170:4	stripping 19:25	summarize 5:25	126:14,18	163:2 167:14
stealing 13:23	strong 221:24	78:11 105:14	surpluses 71:12	170:22 180:12
Stefanie 142:25	strongly 176:12	143:11 172:9	surprised 173:13	182:17 183:19
148:5,12 160:16	structure 22:3,5	212:3	surrounding	184:24 187:12
stenographic	structured 102:6	summer 62:21	128:8	188:19,25
231:6	struggling 21:16	supersedes 23:3	surveyed 106:20	189:15 191:8,9
step 73:11 84:22	78:21	supervise 214:8	survive 111:5,7	196:21 197:15
84:23 153:20	stubborn 7:22	supervises 213:11	124:18	197:18 198:20
157:25 170:2	study 118:14	supervision	suspect 155:4	198:20 202:14
stepfather 143:23	227:18	213:16 231:22	sustainability	209:3 212:23
143:23 146:21	stuff 53:25	supervisor 147:2	80:8	214:20 218:18
stepfather's 144:3	subcontractor	147:2	Swanson 213:24	218:20 219:14
steps 35:4 54:24	48:3	supplies 18:2	Sweeney 108:18	221:22 228:10
61:15 63:10	subject 16:20	supply 17:24	system 2:25 3:15	taken 46:13 88:18
223:14	53:15 60:5 61:9	126:18	3:18 4:9 6:24	183:10 213:9

218:21 220:14 226:4 231:6 takes 64:15 talk 14:23 16:14 48:17,17 55:24 59:4 62:6 71:22 154:7 176:22 183:12 223:13 224:11 talked 22:15 25:17,21 30:4 33:15 132:9 165:10 223:25 talking 44:7,8,14 50:18 51:25 53:7 54:6,7 64:24 67:10 84:19,24 118:23 138:19 159:2 171:3 172:20 179:3 201:9 talks 59:6 85:6 tallied 175:9 tangled 161:14,16 162:11,16 163:19 164:21 220:7 tape 228:18 target 196:16 targeted 210:16 tax 3:10 4:14 6:17 6:21,23 7:2 9:8 17:13,15,18 18:9,17,20 19:17 21:7 30:8 30:11 31:6 33:7 34:19 45:6,17 45:20 46:17 48:14,22 50:19 51:10 52:6,8,10 53:2 57:17 78:15 81:10 84:5,8 85:18 87:24 88:11,23 89:10,22 90:3 90:14 91:8 94:3 100:8 102:2	108:15,21 109:2 109:7,11 113:12 113:17,22 115:8 115:18,25 116:8 117:2,16,25 118:9 121:16,21 121:22 125:10 128:13 151:25 153:19 154:13 158:12,17 161:12 162:17 165:13,13 167:20 172:21 172:24 174:18 176:2,12 178:25 182:9 183:16,24 184:2,25 187:17 188:5,6 190:18 195:3,13 200:21 211:15 214:14 214:18 215:18 219:11,25 223:19 224:17 225:20 taxes 2:19 3:2,7 3:17,22 4:4,10 4:19 5:4 6:13 7:7,8,16 16:11 16:17 24:5 29:14 32:9,24 48:10 49:23 50:23,24 52:13 53:10,14 55:20 56:13,22 68:22 69:14 72:6 75:2 75:3 78:17 79:4 79:6,16,17,21 79:22 83:6,16 85:20,21 86:17 86:24 88:16 89:17,21 91:21 94:4,21 106:21 106:24 107:8 108:13 109:2,15 110:4,19,21 111:12 112:16 112:21,22 113:9	113:14 114:6,24 115:20,22,23 116:3 123:11 125:3,24 131:7 131:9,13,16,21 133:10 134:10 134:14,21 136:25 137:15 144:11 145:4,14 145:14 148:24 149:3,18 152:14 160:3 166:4,9 170:8,23 179:7 180:3 185:22 186:21 189:18 191:10 198:15 204:9 207:2,10 212:21 216:16 216:20 219:10 226:5 taxing 49:8 taxpayer 143:20 taxpayers 112:10 112:13,25 207:25 tax-delinquent 88:7 89:5 90:23 91:2 92:2,8 178:22 212:19 227:3 tax-delinquent-... 93:2 tax-generating 93:3 Taylor 214:22 218:9 Taylor's 217:5 218:24 tear 210:18 technicalities 149:5 technology 10:10 11:3 14:2 39:18 39:21 76:23 117:5,6 teed 60:25 teeth 210:14	tell 24:13 30:7,20 72:15 76:2,3 134:20 151:18 189:2 telling 182:14 205:6 Temple 16:5 223:21 227:19 ten 9:15 34:14 85:20 101:10 113:5,13 134:14 151:10 209:3 tend 21:25 tens 205:11,12 term 187:3 terms 16:15 46:12 62:11 81:5 130:15 156:18 164:21 167:15 183:15 192:11 208:14 terrible 134:8 test 38:17 138:10 testified 76:24 125:20 202:14 testify 27:25 77:5 87:18 230:11 testifying 38:13 testimony 5:19 47:13 53:19 58:13 77:10,16 78:9 105:6,12 111:23 132:7 143:10,16 149:12 150:23 154:17 161:10 164:19 165:8 172:8,8 173:14 185:24 187:21 192:4,5 201:15 201:23 211:11 211:24 214:23 218:10,24 221:8 thank 2:4 5:7 8:21,25 9:3 15:24 16:2 19:9 19:9 22:10,11	27:2,5 28:17,19 28:21 36:10,12 36:15 37:24 38:6,9 47:2,5,8 57:21 58:12,15 58:24 67:7 68:7 68:8,10,11,13 68:16 76:15,17 77:11,15,19 80:10,14 87:6 87:13 93:5,6 98:20,20 99:5,6 99:7,10,12,13 103:18 104:23 104:25 105:2,4 105:5 111:14,17 111:18,24 116:12,13,16 128:14,17 131:24,25 132:4 132:6 136:20 142:17,18,20,21 143:17 149:8 150:13,14,15 160:13 161:8 164:13,14,19 165:7 167:18 168:2,3,21 171:15,20,20 172:10 178:13 180:21 181:18 192:24 193:3,5 193:11,15 206:2 206:5 210:20,21 210:21 211:12 211:20 212:15 212:16 216:3 218:3,4,6 220:21,23 225:8 225:9 227:25 228:2 230:4,5,7 230:19 thanking 162:6 Thanks 87:12,18 218:7 theft 12:20 14:8 theory 195:6
---	---	--	---	--

therefrom 183:21	78:4,7 83:8 84:9	thousands 115:3	timeline 129:16	total 53:2 65:11
they'd 83:12	84:21 85:13	118:25 122:6	timely 180:13	113:8 174:8,11
thing 11:13 12:24	88:14 89:2,9,23	135:8 191:14	times 81:13,14,19	219:17
13:2,19 14:22	90:12,14 91:13	205:11,14	186:13 196:25	totally 180:2
14:23 26:6	91:23 92:21	209:15	timing 97:2	touch 195:25
27:15 30:13	93:15 94:23	three 53:13 80:15	Tioga 197:5	tough 46:4
35:11 37:22	95:10 97:20,23	93:7 105:5	tired 121:2	town 56:24
55:16 72:15	98:6 100:6	106:11,12,15	tires 228:25 229:7	185:20 226:11
82:16 83:24	102:2,23 103:15	110:10,15 113:7	229:9	Toy 77:23 80:17
85:14,24 120:16	103:22 104:3	139:5 140:23	title 145:8,9 146:2	80:19,20,21
121:9 123:21	106:25 108:2,4	152:11 161:17	146:13 147:6	90:6 93:22 96:8
130:2 133:13	110:17 112:8,8	163:3,6,15	148:13 156:5	98:12,17 103:20
136:23 149:10	114:6,19 115:15	164:25 170:20	161:14,16	track 33:9 67:19
153:5 200:5	116:8 117:10,19	172:23 194:24	162:16 190:8,10	91:12
202:8 206:20,22	117:22 119:13	195:3,4 202:23	190:10,10,15,16	tracking 43:21
206:23	121:16 122:22	208:22 216:12	220:7,17	174:8
things 9:21 10:8	122:23 125:20	219:8 222:7	titles 2:12 22:8	traditionally
13:7 14:16,19	127:20,22	threshold 101:21	162:11 163:19	22:16
15:15 21:3 22:2	129:18,20,23	161:7	today 9:2 13:20	transaction 104:3
29:3 32:20	130:2,20 131:4	thrive 124:18	22:12 27:25	104:14
33:20 36:2 39:9	133:4,12 134:8	throw 135:5	38:12,25 73:6	transactions 25:2
39:12 42:23	136:3,17 137:9	205:10	80:12 84:20	transcript 201:16
44:2,14 46:15	138:4 139:4	thunderous 177:8	87:7 112:17	201:21 231:8,20
48:8 49:5 50:13	142:13 143:9	ticking 73:16	127:5 132:19	transfer 216:15
54:7 55:5 63:16	147:9 148:19	tied 178:5	133:22,24 137:2	219:10
67:13 74:7	150:4,5 160:11	time 2:11 6:23	137:14 140:22	transfers 161:25
82:11 84:15	174:25 203:14	11:18 13:18	156:10 161:10	transparent
90:22 102:10,24	204:10 205:4,8	20:19,25 26:22	164:8 172:21	104:16 203:23
156:9 161:17	205:16,24	28:20 38:12	173:14 178:9	traps 213:6
173:20 175:23	thinking 68:3	41:2,6,8,10 49:3	182:5 185:24	trash 223:25
178:25 229:13	178:20 180:19	54:3 62:20	199:14,19	228:25
think 10:11 12:25	205:22	65:10,21 68:6	200:19 202:24	traveled 229:8
17:9,9,17 19:16	thinks 199:9	72:19 73:9	212:17 225:18	treating 33:18
19:19 20:13	205:18	80:25 85:10	229:9	112:9
32:19 33:8	third 12:3 52:22	86:2 89:16	Today's 2:6	tree 199:4,5
36:20,22 38:13	53:9,13 54:4	95:11 110:21	told 47:19 62:4	tremendous
38:22 39:15	55:4 83:24	119:24 128:2	107:11,15	134:17
40:16 44:3	109:22 120:21	129:23 136:14	109:17,23 110:7	trench 98:24
45:21 46:3,5,19	120:23 121:4	144:13 154:3	138:23 154:2,5	tried 223:13
51:13 52:4	161:23 208:9	155:2 157:23	182:12 202:10	trifecta 177:12
53:19 54:6	third-party 121:7	160:3 171:24	ton 122:19	triple 170:14,24
55:12,21 56:7	thought 36:23	185:6 191:10	tool 25:9 204:3	tripled 170:17
56:12 57:6 58:8	73:11 135:4	199:6 201:20	tools 32:17 49:18	trouble 20:23,24
58:9 59:12 61:8	170:22	203:12 205:16	102:9 103:2	truck 49:18
63:25 64:23	thoughts 93:20	210:21 211:16	218:15	true 20:13 21:20
66:4 67:9,21,25	thousand 133:9	216:5 217:10	top 189:19 195:3	26:7 28:14
68:6 70:4,12	134:10	220:21 230:9	topic 172:18,21	220:20 231:7

truly 207:19	135:25	uniformity	79:4,15 88:10	106:18,19,23
trust 173:22	typically 25:6	157:17 166:24	90:19,24 93:3	110:9,12,13
188:4 207:11	62:17	168:12	99:22 101:7	112:7 118:2,17
227:24 230:3		uniformly 106:9	104:4 115:24	120:13 121:12
truth 19:24	U	unions 177:14	122:7 148:23	123:19,23
try 27:12 49:14	ultimate 9:9	unique 12:25	151:19 165:23	126:16 128:11
81:12,17 103:10	ultimately 19:18	123:16 195:17	187:16 189:18	133:22,23
143:15 144:25	unable 154:11	uniquely 11:9	206:18 215:5	134:16,19 137:4
150:6,19 171:23	unacceptable	unit 72:23,25	216:10 227:15	137:7 139:5,12
173:5 201:13	185:25	United 72:3	227:23	139:20 140:3,20
202:3 203:17	uncollected 6:13	units 57:4 140:23	users 66:16	141:14 180:9
trying 20:9 37:6	7:11,12,16	141:6 142:4	usually 180:6	183:21 184:15
81:6 96:18	22:20	209:9 226:17	utilities 74:21	184:25 216:14
124:13 129:7	Underbelly	universe 152:7	utility 14:21	valued 122:24
153:12 175:3	172:17	University 16:5	25:21 66:16	values 86:3
191:15 193:17	undercover 18:17	227:19	utilize 34:8	117:22 118:12
211:14 222:19	underestimate	unlicensed 30:6	204:20 207:6	124:5 126:20
228:18	71:6	179:24	utilized 3:15	128:7 180:5
Turco 212:10	underground	unload 131:5	190:25	valuing 139:17
turn 9:24 69:21	7:17	unoccupied 82:23	utilizing 136:5	Vanderslice
73:3,7,23	underlying 17:2,5	unpaid 49:22	U&O 206:15,19	181:2 210:25
215:25 228:19	understand 51:6	206:15 225:21	206:21 207:9	212:4,6,15
turned 120:21	71:14 85:13	unrelated 20:24		218:19 220:3,17
126:13 202:21	93:14 97:19	unsafe 20:12	V	varied 6:25
turnkey 42:24	107:9 116:25	unsanitary	vacancy 88:22	varies 46:12
turn-on 10:23	134:18 138:3	225:25	124:6 213:2	varies 18:18
Twelve 69:6	149:15 150:4,12	untangled 220:18	vacant 4:14 25:20	various 17:11
two 12:5 18:16	150:12 156:8	untoward 12:19	26:16,18 81:2	28:3 102:14
36:16 37:8 54:6	167:3,5 169:14	unusual 14:4	85:16 88:6,7	vast 121:25
59:3 64:8 79:21	206:14 224:19	unworkable	90:16,23 91:2	vehicle 67:15
80:2 81:24	understanding	204:18 215:19	102:4,12,17,21	182:22 187:16
82:19 83:9	54:10 71:11	upcoming 77:8	102:22 103:7,12	202:16
102:23 106:15	130:13	211:16	103:12 104:10	venue 109:13,14
107:24 126:3	understatement	updater 190:20	109:24 115:4,13	verbal 155:3
131:17 143:10	173:17	upgrade 74:9	119:2,3 121:14	versus 35:24,24
155:18 156:14	understood 43:4	upset 51:14	121:21,24 122:2	103:11 141:5
160:8 161:19	undertake 184:3	177:14	122:6,23 190:6	VFW 220:10
169:7 170:4,15	underused 14:5	upwards 175:9	192:6 195:12	viable 174:12
171:22 197:24	Unemployment	up-front 86:17	200:3 215:15	202:15 207:20
199:15 203:5	166:13	urban 84:18	221:23 225:19	Vice 178:17
211:14 218:23	unfortunately	227:17,21	227:14 228:11	Victor 172:2
223:24	82:12 84:25	urge 150:22 164:8	228:24 229:4,11	178:16
twofold 79:19	115:23 144:7	225:3 229:18	vacants 103:9	view 98:24 119:11
type 16:17 42:24	152:22 196:15	urgency 58:16,18	valuable 140:8,12	violations 91:9
97:15 98:11	unified 156:11	use 7:4 11:3 33:24	142:4	118:11 214:4
167:9 210:15	uniform 157:10	34:9 47:23 48:2	value 41:16 52:10	VIP 148:6,12
types 45:10 47:25	167:6	66:8,23 67:15	52:11,18 86:3	160:18,21 162:2

virtue 12:14	184:12,13 185:3	223:20,22	217:19	White 5:10,22
visitors 226:15	186:15 191:4,7	224:12 226:21	we're 2:3 9:21	7:18 8:22,24
Vista 216:11	194:23 195:25	229:9	14:12 17:7 30:2	22:11 23:4,11
220:11	198:17 200:4	ways 15:20 56:2	31:9 34:7 35:15	23:23 24:9 26:8
vital 98:25	202:7 204:6,8	71:25 81:11	38:24 39:19,20	28:21 33:15,23
vitality 136:6	204:11,15	107:4 171:2	40:6,17 41:8	38:12 40:20
VLSIPS 195:9	209:20,22	208:8	43:8 50:16,17	41:5 43:3 44:18
volunteer 225:16	211:12,19	WCRP 226:12,18	50:17,20,21	46:5 59:20 60:2
vulnerable	217:23 230:12	wealth 226:19	51:25 54:6 55:5	60:7,19 61:8
165:23,24	wanted 7:19	weapon 182:10	55:6 60:23	62:2,17 64:8
W	33:11 59:2,17	weapons 184:21	64:24 66:6	65:7 66:14
wage 7:16 29:6	59:19 70:5	190:25	67:10 76:9 77:6	68:11 72:14
wages 7:5 31:14	87:22 99:15	weave 207:13	84:19 89:16	74:3 75:7 76:2
wait 101:10	120:16 132:6,10	web 11:17	90:12 96:3	77:19
146:25 163:18	135:12 138:19	website 172:19	100:13 102:17	wholeheartedly
168:14 230:9	145:23 153:20	173:12 217:18	104:19 106:7,16	94:9
waiting 162:19	165:7 167:18	Wednesday 1:7	107:2 109:5,9	wholesale 135:17
189:23 198:15	wanting 51:15	week 108:17	109:17,23	Whole's 230:17
wake 197:17	195:23 197:6	112:19 132:17	110:14 113:5	whooping 178:10
walk 90:11 187:5	wants 141:8	173:8 177:9	118:15,17,19	Wild 30:2
wall 17:4	193:24 198:23	weekend 122:16	121:15,24	WILLIAM 1:11
want 16:2 27:10	warehouse 6:25	weekly 222:22	122:18 125:25	willing 96:4
27:25 28:8	40:8	weeks 53:6	129:6 142:24	Wilson 142:25
29:21,22 39:7	wasn't 19:10	120:20 121:19	165:17 167:25	147:22 148:3,4
53:11 59:23	28:11 73:18	137:17 159:4	171:9,11,23,24	148:11 150:17
61:17 64:6	143:21 153:5	170:5 211:16	203:5,11 204:22	150:21 151:4,7
67:22 71:7	173:13	welcoming 18:12	209:14 217:10	153:10,15
77:15 88:2	watch 28:16	225:6	we've 7:8 9:15	154:16 159:5,9
90:21 92:15	water 7:10 25:15	well-maintained	10:9 11:5 12:12	159:14 160:6,11
94:7 101:7	59:4,8,24 60:12	227:20	12:12 13:25	168:23 169:5,25
103:10 117:12	60:14,18 176:15	went 37:18,21	15:2 17:11 20:2	winter 62:18 63:6
120:3 122:7	180:8 216:19	53:20 63:19	20:9 21:5 26:22	63:12
124:9,14,17	217:16	70:25 73:12	26:23 41:5,10	wipe 67:22
126:12,15,24	way 28:6 29:11	91:16 134:11,20	43:21 48:23	wisdom 185:2
132:23 135:18	35:23 36:7 58:2	135:7 146:18,22	60:24 61:13,15	204:5
137:2,8 138:7	58:9 70:15	199:25	63:22 67:4	wish 31:18 187:20
148:22,23 149:2	73:16 83:22	weren't 13:25	85:15 88:20	204:8
149:3 150:20	91:24 92:7,14	27:11 48:22	89:24 100:9	witness 5:12 6:2
151:20 154:7	95:4 102:7	72:16 165:14	106:20 107:11	77:24 105:9
159:13,21,23	106:19 120:8	West 30:2 176:8,9	107:15 109:8	143:2 172:4
160:20 161:3,8	125:10 128:23	197:11	112:17 158:4,19	211:4
162:20 163:11	129:19 131:12	we'll 8:22 27:12	172:19 213:6	witnesses 5:8,12
163:14 164:11	136:4 139:18	34:16 66:19	218:21,22	77:24 105:9
165:23 166:20	141:20 142:9	80:15,16 87:15	228:12	143:2 172:4
167:22 168:4,9	157:15,18	134:21,22	whatsoever	183:10 210:23
179:16 182:3	192:12 207:16	188:19,19,20	198:19	211:4 216:5
	208:6 209:5,14	194:17,19	wheels 102:18	Women's 225:17

word 17:8 96:3 148:22 165:24 182:25	worse 15:12 108:24	193:14	yesterday 6:4 22:13 27:12	\$20 76:5 121:20 121:24
words 31:3 74:24	worst 37:8 220:10	year 30:18,19 40:19 48:8	28:5 38:24 40:5	\$200 123:8
work 36:18 50:5 51:5 57:22 58:5 59:20 61:23 62:19,22 67:13 67:20 71:25 72:22 73:4 86:8 93:16 98:21 99:4,13 110:24 114:12 120:6 144:9 152:11,20 155:2 156:13 157:21 158:7 160:25 164:10 182:13 185:5,19 187:22 188:7 190:8 197:4 202:2	worth 76:10 85:21 90:12 106:23 132:18 132:20 133:19 133:22,24 134:13,13 138:25 140:18	54:17 55:19 62:6 63:17 70:2 70:12 71:14 78:22 84:4 85:17,20 94:16 106:24,25 118:8 118:8 121:20,25 125:3,6 127:12 133:9 134:10 147:14,16 162:10 163:16 164:22 170:25 174:18,19,24 175:3 197:21 218:22 219:15	47:10,10 59:21 76:23 97:6 141:22 168:10 169:21 172:20 175:25 182:11 182:14 187:21 189:7 190:11 200:20 202:14 205:9	\$200,000 106:23 \$22,980 161:6 \$23,000 163:16 \$240 76:25 \$250 110:16 114:9 124:20
	worthless 53:17		yesterday's 2:10 53:19	\$257 116:5 \$275 115:25 \$3 7:7
	worthwhile 188:4		yielded 7:7	\$3,000 157:22
	wouldn't 17:15 23:24 103:9 121:11 126:19 165:15 195:25 199:14	years 6:16 7:21 9:16 16:21 18:16 20:2,9 21:15 26:14 48:24 53:14 55:17 58:4 67:4 73:4 76:25 80:25 81:24 84:6,20,21,24 85:16 86:7 101:10 105:22 106:15 111:2 113:7,13 114:8 114:10 116:2,20 120:18 124:22 127:6 131:15 134:14 144:20 146:4 151:10 152:10,16 155:19 156:14 163:4,7,15,21 172:24 177:20 184:7 189:13 191:3,4 195:25 203:5 216:12 221:14,20 222:7 223:24	York 85:9 197:23	\$300 78:22 110:16 \$4,000 106:25 \$47,100 161:7 \$50 7:13 155:8 187:23
	Wow 196:18		Z	\$50,000 30:18 127:10 188:5 216:16
	writ 187:6		Zaslow 172:2 178:12,19 180:23 181:16 181:18,19 193:9 193:22 194:12 201:14 203:25 204:4 206:7,12 208:5 209:23	\$500 53:2 109:17 188:6
	write 14:24 40:25 41:3		zero 158:10 178:2	\$500,000 30:18
	writer 190:20		zip 162:12 175:18 175:25	\$515 112:21
	write-off 15:5 41:10 65:24		zone 200:14	\$600 53:2
	writing 66:11		zones 196:3,17	\$7,500 110:10
	written 15:2 65:20 78:9 105:12 143:10 144:22 153:16 155:6 172:8 192:5 205:10 211:24 214:23 216:7		zonings 45:11	\$70 6:20 7:11,12 \$700 109:18
	wrong 23:2 199:25		\$	\$78.1 174:23
	wrote 63:18,21		\$1,500 134:19 \$1.64 216:14 \$10 75:5,6 \$12 69:5 175:9 \$120 69:11 \$132 7:10 \$15 135:2 \$184 78:19 \$19,000 152:2,10 \$2 7:16 \$2,000 106:24 127:11 \$2,200 142:3 \$2,500 173:4	\$780 79:5 \$800 81:23 173:6 \$9 43:12 \$94 153:16 \$95 152:15
	www.scioliturc... 217:19			0
	X			04 222:7
	X 23:19 146:15 208:21			1
	XYZ 136:14			1 60:8,21 106:22 107:3,4,11 110:15 1,500 120:5 1.16 107:8 1.2 133:18 1.25 133:7 1.32 52:2
	Y			
	yards 86:12	year's 179:17		
	Yeah 24:9 51:19 154:15 164:18	Yellow 18:6		

1.5 132:20 133:19 1:25 1:7 10 55:17 10th 135:6 10,000 102:12 122:22 135:10 189:15 210:18 10,441 174:17 102,000 112:19 1099 48:9 1099's 48:2 11 83:2 11,000 89:5 12 120:12 120054 164:8 120059 159:5 1300 200:9 130088 1:18 2:7 2:14 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1	91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1 151:1 152:1 153:1 154:1 155:1 156:1 157:1 158:1 159:1 160:1 161:1 162:1 163:1 164:1 165:1 166:1 167:1 168:1 169:1 170:1 171:1 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1	188:1 189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 208:1 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 130090 1:18 2:8 3:3 130093 1:18 2:8 3:12 130097 1:18 2:8 3:23 130098 1:18 2:8 4:12 130099 1:18 2:9 4:22 130156 229:17 132 59:7 135 212:12,17,22 214:6,24 215:12 216:10,21 217:9 218:13,17 219:24 220:8 14,000 162:11 1445 212:7 15 7:21 67:4 80:24 107:16 109:6 111:5 186:9 195:25 15th 61:7,9 62:14 62:16	15,000 216:18 150 222:18 150,000 189:23 16 110:20 174 125:2,6 126:7 175 162:10 164:23 18 53:8,12 107:20 1817 197:23 1818 184:19 1901 184:18 19150 176:2,8 1923 184:18 1937 7:4 1974 144:4 1980 26:9 1991 70:24 1992 82:10 1993 84:16 2 2 50:8 2,000 189:9,14 20 1:7 55:17 84:20,20,24 118:12 122:10 131:15 191:3 195:25 221:20 200 109:20 2000 85:2,5 2001 72:16 2003 10:2 113:12 2004 189:11 2006 151:24 2009 7:3 2010 201:16 206:17 2012 174:18,24 2013 1:7 105:20 226:24 21 113:6 127:7 21st 141:23 22 48:4 118:2 22,000 205:9 23 105:22 24 64:13 65:16 66:10,22 176:19 24/7 11:14	240 107:9 25,000 216:19 250 109:21 134:20 134:23 226:17 29 182:16 29th 109:8 297 209:14 3 3 127:8 201:3 3,000 162:16 3/20/13 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1
--	--	--	---	---

107:1 108:1	201:1 202:1	500,000 133:7	95 42:21 43:9
109:1 110:1	203:1 204:1	501(c)(4) 212:11	69:10 108:7,14
111:1 112:1	205:1 206:1	505,000 26:10	108:25 226:8
113:1 114:1	207:1 208:1	520,000 26:9	96 76:9
115:1 116:1	209:1 210:1	54 159:7,8,9	97 43:9 108:25
117:1 118:1	211:1 212:1	177:24	98 125:23
119:1 120:1	213:1 214:1	57,000 89:10	98,989 174:13
121:1 122:1	215:1 216:1	578,984 174:7	99 69:25 125:23
123:1 124:1	217:1 218:1	58,000 205:10	125:23
125:1 126:1	219:1 220:1		99.2 108:10
127:1 128:1	221:1 222:1	6	
129:1 130:1	223:1 224:1	6 49:21 161:11	
131:1 132:1	225:1 226:1	6.6 170:12	
133:1 134:1	227:1 228:1	60 119:23 127:6	
135:1 136:1	229:1 230:1	60,000 109:24	
137:1 138:1	30 75:12 186:17	119:15	
139:1 140:1	191:3	67 176:7	
141:1 142:1	30,000 102:16		
143:1 144:1	300,000 134:13	7	
145:1 146:1	31st 60:8	7th 226:24	
147:1 148:1	34 120:18	7,000 122:23	
149:1 150:1	35,000 133:6	70,000 65:8,8	
151:1 152:1	375 162:9 164:24	700 126:6	
153:1 154:1		702,144 174:10	
155:1 156:1	4	75,000 123:4,5	
157:1 158:1	4 127:8,10 193:6	8	
159:1 160:1	201:3	8 76:11	
161:1 162:1	4th 178:7	8th 220:10	
163:1 164:1	4:55 230:21	80 103:7	
165:1 166:1	40 191:3 221:14	80,000 65:8	
167:1 168:1	222:21 228:9	82 18:21 107:16	
169:1 170:1	400 1:6 106:20	85 68:20 69:2,10	
171:1 172:1	400,000 65:11	107:12 109:5	
173:1 174:1	106:24 132:19	113:3,4	
175:1 176:1	41,000 171:9	85.5 125:25	
177:1 178:1	44 222:15	86 69:2 76:8	
179:1 180:1	450,000 72:18	87 70:12	
181:1 182:1	46 209:3		
183:1 184:1		9	
185:1 186:1	5	9 76:10,11 175:25	
187:1 188:1	5 108:14 134:6	90 42:11 119:23	
189:1 190:1	201:3	91 42:21 68:20	
191:1 192:1	5,000 206:25	69:2 79:3	
193:1 194:1	50 175:16 222:22	92 42:21 43:10	
195:1 196:1	50,000 72:17	69:2	
197:1 198:1	134:13,15	93 43:10	
199:1 200:1	500 126:6 134:10	94,950 174:23	
	134:22 165:4		