

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, October 29, 2019
10:21 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN DEREK S. GREEN
COUNCILWOMAN HELEN GYM
COUNCILMAN CURTIS JONES, JR.

BILLS 190386, 190786, and 190787
RESOLUTION 171097

- - -

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2 COUNCILMAN GREENLEE: Thank
3 you. Good morning. This is the
4 Committee on Law and Government. Sorry
5 we're getting started a little bit late.

6 We have attained a quorum with
7 Vice Chair Councilman Green, Councilwoman
8 Gym, and Councilwoman Blackwell, who has
9 been appointed to the Committee for
10 today.

11 First, let me for the record
12 say that Resolution No. 171097, which
13 dealt with PICA, will be held to the call
14 of the Chair at the request of the
15 sponsor.

16 Ms. Marconi, please read the
17 title of our first bill today.

18 THE CLERK: Bill No. 190386, an
19 ordinance amending Chapter 9-800 of The
20 Philadelphia Code, entitled "Landlord and
21 Tenant," by adding a new Section 9-808,
22 entitled "Legal Representation in
23 Landlord Tenant Court," providing for
24 access to free legal representation to
25 the City of Philadelphia's low-income

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2 residents facing eviction in Landlord
3 Tenant Court; under certain terms and
4 conditions.

5 COUNCILMAN GREENLEE: Thank
6 you. Will you call the first panel,
7 please, and then I'm going to recognize
8 the sponsor.

9 THE CLERK: Eva Gladstein,
10 Laron Campbell, and Belinda Thompson.

11 COUNCILMAN GREENLEE: And
12 before I recognize the Councilwoman, let
13 me just say we have a number of people
14 that want to testify here today and we
15 also have two more bills after this and
16 we got another hearing early this
17 afternoon. So I would ask everybody to
18 try to be, once you get your point
19 across, but try to be as brief as
20 possible.

21 If you have written testimony,
22 that entire written testimony will be
23 made part of the record. I would ask,
24 respectfully ask, that you summarize your
25 written statement. We appreciate that.

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2 Before we hear from the first
3 witnesses, Councilwoman Gym.

4 COUNCILWOMAN GYM: Thank you
5 very much, Chairman Greenlee, and I want
6 to welcome everybody here to our hearing
7 on right to counsel here in Landlord
8 Tenant Court. So thank you all for
9 coming out and for making this an
10 important journey in the effort to make
11 housing a human right here in the City of
12 Philadelphia.

13 So I'm excited to be here today
14 to expand the rights of renters here in
15 our city. This bill is rooted in the
16 basic and steadfast belief that housing
17 is a human right. And as our friends at
18 Project HOME have made clear, none of us
19 are home until all of us are home.

20 The housing crisis facing our
21 city is playing out across the country,
22 but with a 25 percent poverty rate in
23 Philadelphia, we have been hit especially
24 hard. Last year, over 20,000 evictions
25 were filed in Landlord Tenant Court in

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2 Philadelphia. Today is about ensuring
3 that we're using every tool at our
4 disposal to keep folks in their homes by
5 creating a more fair and just system.

6 For the last two years, this
7 City Council has been on that journey.
8 Working in partnership with our City
9 agencies, we've held hearings. We
10 visited Landlord Tenant Court. We've
11 worked with our advocates, landlords,
12 renters, City agencies, and our courts
13 through a year-long task force, which
14 continues to meet to this day. And this
15 bill, this historic bill for right to
16 counsel, is one of the outcomes of that
17 important work.

18 We've already piloted it with a
19 major City investment in a Tenant Legal
20 Defense Fund that has shown incredibly
21 successful outcomes. Evictions are
22 declining. Ninety-five percent of people
23 with representation achieve settlements
24 that are mutually beneficial to both the
25 landlord and the tenant. And we are

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2 united here today on those two missions,
3 which are not mutually exclusive, ending
4 the scourge of evictions and keeping a
5 roof over people's heads and making sure
6 that our landlords are paid as fair.

7 Both of these can and have
8 happened when tenants are represented,
9 but neither happens when we see default
10 evictions happen over and over and over
11 again.

12 But we also know that even with
13 the Tenant Legal Defense Fund, that this
14 is still not enough. Philadelphia ranks
15 fourth in the nation for the most
16 evictions. Evictions in our city
17 disproportionately target black women,
18 many of them who are single heads of
19 household taking care of children.

20 Evictions cause a cascade of
21 problems. They disrupt adults from
22 working and children from learning, and
23 children are twice as likely to enter
24 foster care if they experience eviction.

25 Even worse, the stigma of

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2 eviction for a renter makes it even
3 harder for that individual and for that
4 family to find quality housing.

5 Evictions are not a symptom of
6 poverty. They are a cause and a
7 perpetrator of it, and our failure to
8 address it in even more significant ways
9 is our failure to address the ways in
10 which people are made poor and exploited
11 for it.

12 And as Matthew Desmond said, no
13 moral code or ethical principle, no piece
14 of scripture or holy teaching can be
15 summoned to defend what we have allowed
16 our nation to become.

17 So today's bill is about
18 changing that. It has garnered the
19 support of over 30 organizations and is
20 the next step in our goal of a truly just
21 and equitable housing system for all, and
22 with a right to counsel, we as a city can
23 declare our commitment to housing as a
24 human right.

25 So I want to thank everybody

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2 for coming out and especially to this
3 first panel.

4 Thank you, Mr. Chairman.

5 COUNCILMAN GREENLEE: Thank
6 you, Councilwoman.

7 (Applause.)

8 COUNCILMAN GREENLEE: The
9 record will reflect Councilwoman Bass, a
10 member of the Committee, is present.

11 We now turn to our first panel.
12 Ms. Gladstein, I think your name was
13 called first. Please identify yourself
14 and proceed.

15 MS. GLADSTEIN: Good morning.
16 Eva Gladstein, Deputy Managing Director
17 for Health and Human Services.

18 Good morning, Chairman Greenlee
19 and the other members of the panel.
20 Thank you for having me here today, and
21 I'm honored to be in the first panel with
22 two individuals, who are going to really
23 provide the most important testimony
24 today, which is why this legislation is
25 so critical.

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2 If you would like me, I'll try
3 to summarize my written testimony --

4 COUNCILMAN GREENLEE: Please.
5 Thank you.

6 MS. GLADSTEIN: -- a little
7 bit.

8 I oversee a number of
9 departments in Health and Human Services,
10 including Public Health; Behavioral
11 Health; DHS, our child welfare system;
12 our Office of Homeless Services;
13 Community Empowerment and Opportunity;
14 and we're also proud to have as a member
15 of our council the Mayor's Commission on
16 Services to the Aging.

17 I think we all know that the
18 City has made some really positive
19 strides in the last few years with
20 increased median income, a much lower
21 unemployment rate than we've had in the
22 past, and even fewer households who are
23 cost -- renter households who are cost
24 burdened. Yet despite that progress, the
25 issue is very real, particularly for

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2 low-income renters in the City of
3 Philadelphia.

4 While the cost burden -- 53
5 percent of all renters are cost burdened.
6 When you look at those whose income is
7 under \$35,000 a year, 86 percent of them
8 are paying more for rent than they should
9 under standard federal formulas.

10 And while, as the Councilmember
11 said, evictions are down from a ten-year
12 high, we still had over 18,000 people or
13 households whose housing stability was
14 threatened and who are at risk of
15 homelessness in terms of eviction filings
16 last year.

17 I'm not going to recount the
18 history, but just to give some
19 highlights, there were hearings in this
20 Council in 2017 around the issues faced
21 by low-income renters. In September
22 2017, the Mayor convened a task force
23 with a number of recommendations, with
24 broad stakeholder input and support, and
25 we have a very structured process going

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2 forward implementing a number of those
3 recommendations. And, in fact, the
4 Housing Security Working Group just
5 issued a one-year report that's available
6 on CEO's website in terms of the very
7 real progress that has been made.

8 But we're most proud of the
9 work with the support of City Council and
10 the funding that this year is somewhat
11 over \$2 million between General Fund and
12 Housing Trust Fund for the Philadelphia
13 Eviction Prevention Project, which is
14 managed out of our office, the Managing
15 Director's Office. There are
16 representatives from PEPP who are going
17 to be here today, so I won't give all the
18 numbers in terms of the tremendous impact
19 it has had, but to say that it is a very
20 comprehensive approach to the eviction
21 problem. So in addition to individual
22 legal representation, there is courtroom
23 navigation.

24 If you've ever been to Landlord
25 Tenant Court, it's a very confusing place

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2 and you literally, when you walk in,
3 don't know which side is up and which is
4 down. So that's critical.

5 There's financial counseling to
6 enable tenants to understand if they
7 choose to enter into an agreement, how to
8 negotiate one that they can fulfill; a
9 live hotline for tenants to reference
10 when they have a question about their
11 rights; a help center in the court;
12 community trainings; and educational
13 information.

14 So all of that is part of the
15 PEPP project that we've been proud to
16 support and to see it grow over the last
17 two years.

18 What I want to say now, I think
19 I'm just going to skip to the fact that
20 we continue to support an investment in
21 that comprehensive approach and to
22 looking holistically at the use of
23 individual tenants, how we can support
24 them in their journey to be stably and
25 safely housed. This includes addressing

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2 root causes of eviction, which include
3 poverty and, frankly, racial injustice.
4 When you look at the eviction rates
5 across the City, they tend to be much
6 higher in African American neighborhoods,
7 and that is a distinct issue as well.

8 Legal representation is a key
9 component of the broader work to address
10 eviction housing insecurity. Therefore,
11 the Administration supports Bill No.
12 190386 as it is proposed, and we
13 understand there will be some amendments
14 offered. The right to counsel
15 legislation, as it will advance this
16 existing work on eviction prevention,
17 helps safeguard tenants' rights and
18 provide tenants with a critical resource.

19 Thank you for your attention.
20 I'm happy to answer any questions you may
21 have.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 We'll hear from the whole panel
25 first. And before we move to the next

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2 witness, the record will reflect
3 Councilman Jones, a member of the
4 Committee, is present.

5 Who would like to go next?
6 Please identify yourself and proceed.

7 MS. CAMPBELL: Good morning,
8 Councilman, Chairman, everyone. My name
9 is Laron Campbell and I have been living
10 in Council District 2 in the Southwest
11 Philadelphia area. I am a good tenant in
12 an impossible situation. For months, I
13 was dealing with serious issues in my
14 home, sewage coming up from the drains in
15 my kitchen sink and in my shower and also
16 in my basement. A strong smell of gas
17 was always in the home. No safety
18 measures in this place at all. Telling
19 my landlord got me nowhere. No repairs
20 were ever made.

21 One day I returned home from
22 work to find strangers in my living room.
23 Then I was woken up late at night to
24 strangers walking into my home without
25 any warning. By this time, my landlord

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2 had put a lockbox on the porch and was
3 giving potential buyers the code off of
4 Craigslist without giving me any notice
5 at all. My home did not feel safe at any
6 time. I didn't know what to do or where
7 to turn or when someone else was going to
8 walk through my door with the key.

9 The first time I went to legal
10 services, they helped me with the correct
11 process of changing the locks and calling
12 License and Inspection. I learned that
13 my landlord had no license, no
14 certificate, and a list of open
15 violations on the property. My landlord
16 still would not make any repairs. With
17 the support of my advocate, I decided to
18 withhold my rent in an escrow account.

19 Not long after that, my
20 landlord filed to evict me. I returned
21 to my lawyer with my court paper. My
22 landlord was trying to evict me for
23 changing the locks and for not paying my
24 rent. At this time, I was frustrated,
25 angry, and I felt this way was very

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2 unfair. I did not know how they could
3 evict me when I had been living with such
4 awful conditions and unable to lock my
5 own door for months, without sleeping.
6 Luckily, there was an attorney there to
7 explain the situation and to represent me
8 at my hearing.

9 I was able to keep the money I
10 had in an escrow account and get my
11 security deposit back, which was great.
12 The case against me was even withdrawn in
13 court. I know that this was possible
14 because I had representation from my
15 advocate.

16 No one should have to live in
17 these conditions. No one should be
18 evicted when they have done nothing
19 wrong. Having a lawyer on my side, even
20 before my landlord filed in court, made
21 all the difference. Everyone deserves an
22 attorney, someone to help them understand
23 the process and stand up for them in
24 court.

25 I thank you for listening to my

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2 testimony today, and please do everything
3 you can to make sure that others have an
4 advocate like I did to stand up for their
5 rights.

6 Thank you.

7 COUNCILMAN GREENLEE: Thank
8 you, Ms. Campbell.

9 (Applause.)

10 COUNCILMAN GREENLEE: Thank you
11 for coming down and telling your
12 important story.

13 Ms. Thompson, please.

14 MS. THOMPSON: Good morning.
15 My name is Belinda Thompson.

16 COUNCILMAN GREENLEE: A little
17 closer to the microphone, if you could.

18 MS. THOMPSON: I'm 69 years of
19 age. I have physical challenges. Right
20 now I'm in pain. I have spinal stenosis,
21 degenerative disc arthritis, blood
22 pressure problems. I also have problems
23 with my kidney. As a result of this, I
24 have an aide to take care of me seven
25 days a week, six hours a day. And I live

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2 up in Mount Airy on Homer Street. I've
3 been living there -- well, I came home to
4 be with my mother in 2014, my mother,
5 Clara Thompson, who owns the property. I
6 lived and I worked in Philadelphia since
7 1950s.

8 From 2014 to January of 2018, I
9 took care of my mom. Taking care of her
10 and taking her -- which before then, my
11 brother, he wouldn't even take her to the
12 doctor's or make her go, but she was
13 stubborn, so I would do it. When I came
14 back, I started to do it. She's 90 years
15 old now. I also was helping her try to
16 get back herself. And now as of January,
17 my brother put my mother in a nursing
18 home and took her from me. When he did
19 that, he gave me a fake power of attorney
20 papers and said that he had the power of
21 attorney of my mom, and my mother -- I'm
22 her first and I was the one always been
23 there for her.

24 My brother told me I had to
25 move because he wanted to sell the house,

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2 and I told him he wasn't going to evict
3 me. And I knew there was something up
4 when he took my mom from me and put her
5 in a nursing home. He filed the
6 paperwork, because I refused to move out
7 the house. And I couldn't afford no
8 lawyer because I'm on a fixed income. So
9 I contacted the SeniorLAW firm, where
10 they helped me.

11 I've never been through this
12 before. I've never been evicted from no
13 home or nothing. I always made sure I
14 had a place. Although Ms. Michele Cohen
15 was asked to represent me, and she did.
16 It was such a big difference.

17 Michele asked me to get all the
18 paperwork for the house together. Then
19 she met me at the Germantown Nursing
20 Home, where she asked my mother a hundred
21 different ways whether she gave the house
22 to my brother. Every single time my
23 mother gave an answer no. My mother
24 always wanted the children to live in the
25 house and have it go to my brother's son,

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2 who is in college, because that's her
3 only grandson.

4 Michele represented me in court
5 and she told the judge that my brother
6 could not evict me because he stole the
7 property and never agreed to be -- and I
8 never agreed to be a tenant. He wasn't
9 even living there. He was in the wrong
10 court. Michele was able to explain the
11 situation to the judge in a way that I
12 couldn't. I still do not really
13 understand, but we were in the -- I still
14 do not really understand. We were in the
15 wrong court anyway since I was not a
16 tenant. My brother should have filed an
17 eviction against me in Municipal Court
18 where he should have filed another type
19 of paperwork.

20 The judge told him he had to go
21 get a lawyer for the next case. Michele
22 spoke to his lawyer that he hired, and
23 the lawyer made my brother put the house
24 back in my mother's name so that I
25 couldn't have to move.

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2 I had nowhere else to live and
3 I even thought, you know -- I mean, even
4 if I was evicted, I would have had to go
5 to a shelter. And I'm a senior, you
6 know. And I knew my home care couldn't
7 stay there or come there. So if it
8 wasn't for Michele and the SeniorLAW
9 firm, I wouldn't be able to be in my
10 family home right to today.

11 Thank you.

12 (Applause.)

13 COUNCILMAN GREENLEE: Thank
14 you, ma'am.

15 Ms. Campbell and Ms. Thompson,
16 I thank you both for coming down. I know
17 that wasn't easy. I know this isn't a
18 place you're used to coming to, but I
19 think your testimony was extremely
20 important. It put a real human face on
21 what we're addressing here. So thank you
22 both.

23 Before I recognize other
24 members, Ms. Gladstein, just a quick
25 question. I think we know the answer. I

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2 know you're not the finance person, and
3 this is really about people's lives that
4 we just heard here, but just on a
5 financial basis, obviously if people are
6 evicted, and Ms. Thompson said she would
7 have to go into a shelter, there would be
8 a lot of costs to the City if people are
9 evicted and have to then take care -- or
10 take advantage, if you will, of City
11 resources. So I guess what I'm getting
12 at is, financially this isn't a loss for
13 the City by having a program like this,
14 correct?

15 MS. GLADSTEIN: And I believe
16 people later today will be testifying
17 with regard to the Stout report that was
18 prepared at the request of the Bar
19 Association about the cost of eviction
20 and then relative savings.

21 I would just say that they
22 calculated the savings based upon our
23 shelter costs, which is appropriate, but
24 we know there are many other both
25 financial and human costs of eviction,

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2 and national experts, including Matthew
3 Desmond, have been able to demonstrate
4 how eviction, among other things, leads
5 to further poverty, leads to the tenants
6 having fewer housing options and usually
7 moving into places that are in worse
8 condition. And one point I did make in
9 my testimony is that even the filing of
10 an eviction ends up on the tenant's
11 credit record and then is a very damaging
12 factor in terms of their ability of
13 finding suitable housing.

14 COUNCILMAN GREENLEE: Right.
15 Thank you.

16 First, Councilwoman Gym, then
17 Councilwoman Bass, then Councilman Green.

18 COUNCILWOMAN GYM: First of
19 all, Ms. Campbell and Ms. Thompson, thank
20 you so much. We see you. We hear you.
21 You're the reason why we're here today.
22 Your stories tell a different tale about
23 what's happening, that we can't allow
24 predatory practices to continue. We know
25 that good landlords will want lawyers and

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2 will want negotiations, and terrible
3 landlords and slumlords will not, that
4 they will exploit to the best of their
5 ability as far as they can go or as far
6 as we let them.

7 And so I want to thank you both
8 for being here and just telling us what
9 it's been like to experience all of this
10 firsthand and also how precious home is.
11 Like I think that's the most important
12 thing, that we're holding onto homes and
13 to a sense of stability and lives that we
14 need stability in. So thank you.

15 And then I think for Eva, Ms.
16 Gladstein, could you talk about how right
17 to counsel complements the City's broader
18 mission to address poverty. It fits into
19 the broader work.

20 MS. GLADSTEIN: I'll be happy
21 to do that. And Council also has a
22 Special Committee on Poverty that was
23 recently convened, and I'm one of the
24 co-chairs of that, and I think you know
25 that my work over the last several years

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2 has focused on anti-poverty strategies.

3 We find that housing stability
4 is one of the most important factors to
5 enable people to either increase their
6 income, save money, and/or move out of
7 poverty. Without adequate housing, it is
8 virtually impossible to have, if you have
9 children, have childcare, to go to a job,
10 to even go and apply for a job. So that
11 the lack of housing, we find, is such an
12 important determinant of people's income,
13 but also of their health and wellness,
14 that virtually all of the agencies in the
15 Health and Human Services Cabinet end up
16 investing in housing strategies to
17 support the populations that they work
18 with, be that behavioral health. So it's
19 not just homeless services. The child
20 welfare agency, all of them are ending up
21 and investing in housing, because without
22 stable housing, people are really not
23 able to move up and through and out of
24 poverty.

25 COUNCILWOMAN GYM: Thank you.

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2 COUNCILMAN GREENLEE: Thank
3 you, Councilwoman.

4 Councilwoman Bass.

5 COUNCILWOMAN BASS: Yes. I too
6 want to thank you all for being here
7 today, particularly Ms. Campbell and Ms.
8 Thompson for coming and telling your
9 stories, because I just think that it's
10 so important to hear directly from the
11 people, and so often we hear from -- and,
12 Eva, you too. We love you too.

13 MS. GLADSTEIN: No. I think
14 they're the most important people
15 testifying today also.

16 COUNCILWOMAN BASS: I don't
17 want you to feel left out.

18 But it's good to hear the
19 stories directly from the people who are
20 experiencing these issues. And I
21 actually wanted to know, Ms. Thompson, if
22 the person who represented you,
23 Ms. Michele Cohen, you said, if she was
24 actually here so that we could recognize
25 and thank her as well.

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2 MS. COHEN: Thank you.

3 COUNCILWOMAN BASS: And wanted

4 to recognize and thank you as well --

5 (Applause.)

6 COUNCILWOMAN BASS: -- for the

7 fantastic job that you do. It's just

8 very, very important, because when I read

9 your testimony and hear what you're

10 saying, the level of disrespect that is

11 levied against people without the means

12 to fight back is just absolutely

13 outrageous. And I know Councilman

14 Greenlee alluded to it earlier in his

15 conversation. I happen to chair the

16 Committee on Health and Human Services

17 under which DHS follows, and when we

18 think about keeping families together and

19 we think about eviction being the easiest

20 way and the quickest way to destabilize a

21 family and knowing that Philadelphia has

22 the highest rate of poverty among big

23 cities and also recognizing that with

24 this bill and with other measures, that

25 eviction is one of the easiest ways we

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2 can fix stabilizing a family, this is
3 something that we can fix by keeping a
4 family together and keeping them in their
5 home.

6 We know how much we spend on
7 DHS, the shelter system, foster care, and
8 not to mention the hidden emotional costs
9 that can manifest in children in many
10 different ways in terms of acting out and
11 dangerous behavior to themselves and to
12 others, and also that can lead to
13 introducing them to, quote/unquote, the
14 system, which in many cases they will
15 never get out from under the system. And
16 so if we can avoid that, if we can get
17 away from that, I don't see how anyone
18 would be against that.

19 And so I just want to thank you
20 for telling your stories today. They
21 were very powerful. I want to thank you
22 again, Michele, for your advocacy work
23 and CLS and SeniorLAW and all the
24 folks -- and Eva too and all the folks
25 who have worked so hard to really keep

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2 people in their homes. And I also want
3 to recognize a good friend of mine, Haron
4 Carmone (ph) over here, who has worked in
5 housing and housing issues for over 20
6 years. And I say over 20 years because
7 it was over 20 years ago that we worked
8 together on housing issues and
9 stabilizing homes and families.

10 And so for all of the folks who
11 are here who have been doing this work, I
12 just really want to say thank you.

13 (Applause.)

14 COUNCILMAN GREENLEE: Thank
15 you, Councilwoman.

16 Councilman Green.

17 COUNCILMAN GREEN: Thank you,
18 Mr. Chair.

19 I want to thank the witnesses
20 here for your testimony and putting a
21 face to this issue, something that's very
22 important. Back when I was a young
23 lawyer and actually had some hair, I was
24 very active in the Pennsylvania Bar
25 Association, and we were focused on

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2 trying to work on issues like civil
3 Gideon, which lawyers in this room would
4 understand that concept, and this
5 legislation is one step in that regard.

6 I just had some questions for
7 Ms. Gladstein in reference to looking at
8 the task force report and some of the
9 issues that have come up in the report.
10 I'm just curious in reference to how we
11 will address some of the things that
12 happened to the two young ladies that
13 testified here.

14 Based on their testimony and my
15 understanding of what they provided in
16 testimony, these were two individuals
17 that had properties and they were renting
18 out properties, but they did not have the
19 proper licenses and were not following
20 the -- were not up to date on any type of
21 inspections in any regard.

22 So from your perspective, how
23 will the City better address inspections
24 for properties for vulnerable individuals
25 like these two young women in front of us

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2 so we better coordinate those issues
3 regarding enforcement going forward?

4 MS. GLADSTEIN: I don't want to
5 speak for the Department of Licenses and
6 Inspections, but I will say that they and
7 there are folks from the City Law
8 Department were very active members of
9 the task force and have started to pilot
10 a different way to prosecute cases where
11 they're able to look at, I would call it,
12 repeat offenders. So individuals who own
13 a number of properties, all of which have
14 violations, and bundling them together to
15 have a stronger enforcement mechanism.

16 I would also say one piece of
17 research -- well, we actually asked the
18 Fels Institute to help us with this -- is
19 to think through whether or not there is
20 a better way to structure our fine system
21 for L&I violations to provide kind of
22 more nuance to it, more carrots and
23 sticks, although that work is not
24 completed.

25 But I will say I think the most

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2 important thing is that really L&I is a
3 complaint-driven process, and so tenants
4 have to know their rights, and that's
5 part of what this legislation is about,
6 as well as what the PEPP project is
7 about. And so they have to know that L&I
8 exists and that they can call and make a
9 complaint and get an inspection and then
10 know what their rights are after that.

11 Unfortunately, we don't have
12 the resources with a city this large and
13 I don't think any city this large has the
14 resources to do routine regular
15 inspections that are not based upon
16 complaint of regular housing code
17 violations. Certainly fire code
18 violations, fire code is routinely
19 inspected. So really it is primarily a
20 complaint-driven process, and that's why
21 tenants have to know what their rights
22 are in order to be able to make the
23 complaints.

24 COUNCILMAN GREEN: And I'll
25 also touch on the education issue in a

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2 moment, but in the report, it also talked
3 about various code changes to help
4 address enforcement issues against
5 problematic landlords. Can you give some
6 perspective on what are some of those
7 code changes and are those changes ready
8 for introduction.

9 MS. GLADSTEIN: And that's what
10 I was just referencing before, that we've
11 started to look at how other cities
12 graduate their fines with regard to
13 housing code violations and is there a
14 better way for us to be able to do it
15 here to basically be able to get towards
16 more compliance so that not everything
17 has to go to court, but we're not ready
18 to recommend that yet.

19 COUNCILMAN GREEN: But is the
20 Law Department as well as License and
21 Inspection as well as your office
22 regularly meeting to come up with those
23 ideas?

24 MS. GLADSTEIN: Yes. I'm not
25 in those meetings, but there's a Housing

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2 Security Steering Committee and Working
3 Group and Action Group. They are
4 regularly meeting. And if you'd be
5 interested, we do have a one-year report
6 on that work, and it's available on the
7 web, but I can send the link to the
8 Chairperson so it's available to all the
9 Councilpeople to see the work that has
10 occurred in the last year since the
11 report was issued.

12 COUNCILMAN GREEN: But you said
13 you're not in those meetings?

14 MS. GLADSTEIN: My staff is.
15 I'm on the Steering Committee and my
16 staff is engaged. The Office of
17 Community Empowerment and Opportunity is
18 managing that process, along with
19 participation of a number of other both
20 City agencies and outside partners.

21 COUNCILMAN GREEN: And based on
22 the limited resources that the City has,
23 License and Inspection is a
24 complaint-driven initiative. However,
25 one of the recommendations talked about

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2 expanding inspections. Do you have any
3 perspective on how we would expand
4 inspections to prevent some of the things
5 that occurred to these two young ladies
6 who testified this morning?

7 MS. GLADSTEIN: I'm fearful of
8 getting into L&I's business right now on
9 this stance. I apologize. I don't want
10 to answer that. I think they have asked
11 for and have received more resources in
12 the last few years, and I'd be happy to
13 go back and discuss that with them, but I
14 don't want to answer --

15 COUNCILMAN GREEN: But that
16 should be something that should come up
17 in the upcoming budget discussions, as in
18 next year?

19 MS. GLADSTEIN: Yes, it should.

20 COUNCILMAN GREEN: You talked
21 about public education, and one of the
22 recommendations from the report is a
23 public education campaign. I think one
24 of the issues that many tenants have,
25 they don't know their rights under

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2 landlord-tenant law in the City of
3 Philadelphia in the code. They're there
4 for protection and put in the code over
5 the years regarding landlord-tenant
6 rights, but many people don't know those
7 rights, like the two individuals who
8 testified this morning. So what is the
9 nature of that public education that's
10 going to occur going forward?

11 MS. GLADSTEIN: So a few things
12 happened with the funding of the PEPP
13 project. One was the establishment of a
14 robust website with all kinds of resource
15 materials. There's also a hotline that's
16 now answered, including the evenings and
17 with return calls, including on the
18 weekends. Instead of just leaving a
19 message, there's a human being at the
20 other end of the call.

21 There have also been expanded
22 workshops in the community, led by TURN,
23 Tenant Union Representative Network, as
24 well dozens of workshops. And I will say
25 one of the other pieces of work that's

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2 being piloted right now is doing
3 workshops in neighborhoods for landlords,
4 who themselves, some of the smaller
5 landlords, might not know what some of
6 the requirements are as well. And so
7 also that work is being piloted as well.

8 COUNCILMAN GREEN: And I'm
9 familiar with those efforts, and those
10 efforts were taken in the past, but how
11 does that really inform the public about
12 these issues? When you're talking about
13 a hotline is good and having a live
14 person to speak to is good and having
15 workshops, but the general public,
16 because they're trying to take care of
17 their children, take care of their
18 mother, trying to just work every day,
19 how would they know about information
20 unless they happen to see someone at
21 their church or some community
22 organization having tell them, oh,
23 there's a workshop, and they find out
24 about it? And also are these workshops
25 being held at the time that the average

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2 person in the City can attend?

3 MS. GLADSTEIN: There's also
4 planning for a public education campaign
5 that would use all forms of media. I
6 believe they're in the process right now
7 of seeking a consultant who would help
8 design that, and then we'll seek funding
9 for that.

10 COUNCILMAN GREEN: And that
11 will be a sustained public education
12 campaign? Because one of the problems --

13 MS. GLADSTEIN: I don't know
14 the --

15 COUNCILMAN GREEN: Well, let me
16 finish.

17 One of the problems that we
18 traditionally have in the public sector
19 is that we don't spend money on a
20 sustained campaign to really let people
21 know. We may do an information out for a
22 month or two, but then it disappears.

23 MS. GLADSTEIN: Again, it's
24 just in the initial -- it hasn't even
25 begun the planning. They're working on

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2 the scope for somebody to do the
3 planning, but I think in terms of coming
4 back to Council during budget session,
5 we'll definitely take that input.

6 COUNCILMAN GREEN: And then
7 also the report talked about another 28
8 housing counseling agencies that the City
9 of Philadelphia has and are funded by
10 Community Development Block Grant
11 funding. As you know, I got very
12 involved in this work when I worked in
13 the Law Department as an attorney that
14 represented the Office of Housing and
15 Community Development and also worked on
16 the anti-predatory lending efforts that
17 we had in the City, some of the first in
18 the nation, and we have a great group of
19 housing counseling agencies that do great
20 work. However, only one of those
21 agencies focused on tenants' issues.
22 Historically the City of Philadelphia has
23 only used money that we received, the
24 Community Development Block Grant. As
25 you know, CDBG dollars, or Community

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2 Development Block Grant dollars, have
3 gone down over time.

4 So if this is a major issue in
5 the City of Philadelphia in reference to
6 evictions, which unfortunately continue
7 and exasperate poverty, what type of
8 resources is the City going to provide
9 beyond just CDBG dollars to make sure
10 that we're using housing counseling
11 agencies that do good work in reference
12 to helping people buy their first home
13 and maintain their first home, but
14 address this issue of tenants' rights?

15 MS. GLADSTEIN: Well, I will
16 say the Division of Housing and Community
17 Development has been a good partner in
18 this work, and so one of the pieces of
19 work that's happening right now is doing
20 training for those housing counseling
21 agencies in terms of renters' rights. So
22 they were never prohibited from doing
23 that work, but just never had really the
24 training or, frankly, the focus from the
25 City that this is equally important as

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2 pre-purchase counseling and foreclosure
3 and diversion work.

4 So that training is going on
5 right now, and we're actually looking at
6 how we -- probably piloting in one or two
7 neighborhoods to start with, trying to
8 make sure there's a range of services,
9 not just housing counseling but, for
10 example, the Office of Homelessness
11 Services provides flexible financial
12 assistance if somebody is facing eviction
13 and trying to make sure we have several
14 of those resources kind of stacked up at
15 particular community organizations to try
16 to work in a particular neighborhood to
17 address the full range of issues.

18 So we're looking at that right
19 now. Right now there's, I believe, just
20 one agency, Congreso, which is a housing
21 counseling agency that also has access to
22 flexible financial assistance and also
23 somebody who has housing vulnerability in
24 terms of homelessness. But we're looking
25 at that as a potential model that we can

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2 pilot in some other neighborhoods.

3 COUNCILMAN GREEN: So when I
4 hear we're going to pilot training for
5 those housing counseling agencies to give
6 those counselors more expertise on the
7 issues that tenants have as opposed to
8 people who are homeowners or interested
9 in becoming homeowners, but my question
10 is that because of the limited Community
11 Development Block Grant dollars that is
12 already not enough just on pre-purchase
13 and helping people to maintain their
14 homes, are you talking about after those
15 agencies get trained, we're providing
16 additional dollars beyond CDBG dollars?
17 Because my concern, you may be
18 shifting -- we're going to shift dollars
19 from people who are trying to maintain
20 their home because of foreclosures to now
21 on the tenant side. Are we going to be
22 providing additional dollars in the City
23 to make sure we're giving the numbers
24 that we need for people who are in a home
25 that are trying to stay in their home and

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2 not be foreclosed upon, as well as
3 tenants who are being unlawfully evicted?

4 MS. GLADSTEIN: So what we have
5 done is, we have tripled the amount of
6 dollars that we use for prevention of
7 homelessness over the last several years,
8 with support from the budget, and I think
9 there's been -- we've appreciated the
10 fact that General Fund money has been
11 allocated for these and other needs to
12 prevent homelessness.

13 We have not yet looked at --
14 and, again, I can take your question
15 back. We've not yet looked at whether
16 the most effective thing to do of all
17 things that we have to do is to provide
18 additional funding to housing counseling.
19 I think it's a very good question. I
20 think we have to look at that.

21 The training itself is not
22 being piloted right now. That is
23 happening. Folks from the Division of
24 Housing and Community Development and CLS
25 can probably speak more directly to that,

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2 but the training of those housing
3 counseling agencies is happening. What
4 we're talking about piloting is trying to
5 make sure there are kind of a fuller set
6 of resources available to housing
7 counseling agencies than are currently
8 available.

9 COUNCILMAN GREEN: And my last
10 question, so when you looked at the work
11 that is being done by other cities
12 regarding this issue, were those other
13 cities providing resources out of their
14 General Fund for this type of work for
15 housing counseling for tenants that
16 needed help or were they relying
17 primarily on Community Development Block
18 Grant dollars, or a combination of both?

19 MS. GLADSTEIN: I haven't
20 looked at that, and I don't know that
21 that was a question that the Eviction
22 Task Force took up, so happy to research
23 that and get back to you.

24 COUNCILMAN GREEN: So I look
25 forward to seeing your budget testimony

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2 in the spring regarding additional
3 resources for this issue that's not
4 taking away dollars from Community
5 Development Block Grant.

6 MS. GLADSTEIN: Understood.

7 COUNCILMAN GREEN: Thank you.

8 Thank you, Mr. Chair.

9 COUNCILMAN GREENLEE: Thank
10 you, Councilman. By the way, you
11 referenced having more hair at one point.
12 My understanding is, as you lose your
13 hair, you get smarter.

14 You're not sure about that? I
15 was always told that anyway.

16 Councilman Jones.

17 COUNCILMAN JONES: Thank you,
18 Mr. Chairman.

19 First, let me do the thank
20 you's. Thank you, Ms. Gladstein, for
21 being a long-term advocate. I won't say
22 how long a term, but I do have pictures
23 of a young Eva Gladstein marching to
24 Harrisburg to protest. That's how far
25 back your advocacy goes, and I thank you

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2 for that.

3 I also want to thank the
4 advocates that are here for being our
5 moral compass and kind of keeping us on
6 the right path, I believe, to protect
7 tenants in the City of Philadelphia.

8 But I also want to point out
9 the author of this legislation, Ms. Gym,
10 for being our voice, being our tip of the
11 spear that addressed a lot of these
12 issues. I remember her advocacy when we
13 did good cause legislation and the Mayor
14 signing onto that because of the task
15 force. So I'm thankful.

16 A couple of quick questions.
17 What is the average rent in the City of
18 Philadelphia?

19 MS. GLADSTEIN: I wish I had a
20 quick answer. I think one-bedroom
21 apartments are around a thousand dollars
22 now.

23 COUNCILMAN JONES: So when we
24 did the good cause legislation, it was
25 1,100-plus dollars a month.

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2 MS. GLADSTEIN: So you knew the
3 answer.

4 COUNCILMAN JONES: Yeah, I did
5 know the answer.

6 MS. GLADSTEIN: I was close.

7 COUNCILMAN JONES: Yeah, I do.

8 MS. GLADSTEIN: I was close.

9 COUNCILMAN JONES: And that has
10 increasingly gone up. So it's good work
11 that the evictions have gone down, but if
12 we don't put things in place like what
13 we're considering today, eventually that
14 wave of increase within the average
15 median income is going to impact rents,
16 not only for people who are in the
17 private market but some of our seniors
18 that are on fixed income, and I want us
19 to pay particular attention to that,
20 because their affordable housing rents
21 are based on median incomes, which are
22 going up in Philadelphia as well, cited
23 by -- and what I found in some of the
24 apartments and buildings that we've
25 helped develop with taxpayer dollars,

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2 that some retirees have had to move home
3 with their children because they can't
4 afford those increases, because
5 everything is going up. Utilities are
6 going up. Food is going up. Rent is
7 going up. But their pensions aren't
8 going up to meet and match that. So we
9 need to keep an eye towards that as well.

10 So I see the number of
11 evictions going down. The final thing,
12 the cost to shelter a person who has been
13 evicted versus giving them that
14 assistance, how much per day have we
15 calculated a shelter stay is?

16 MS. GLADSTEIN: It's about \$45.
17 It's somewhat of a range, but about \$45 a
18 day, and the average individuals in a
19 household can be in shelter for up to six
20 months. So it's very costly to shelter
21 people.

22 I will say that, again, with
23 Council's assistance, we've been building
24 out the prevention side, because it's
25 less expensive to help somebody pay back

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2 rent or to help subsidize their rent a
3 little bit, and we've been building out
4 the actual permit in housing side,
5 because, again, if rent is \$1,100, it's
6 cheaper to pay rent than to pay for six
7 months of shelter.

8 COUNCILMAN JONES: So an ounce
9 of prevention is worth a pound of City
10 taxpayer dollars cure.

11 MS. GLADSTEIN: Absolutely.
12 And, again, just helping people move if
13 they are homeless, if they're able,
14 directly into permanent housing and if
15 they need supports, we provide supports
16 through a variety of other funding
17 sources. It's much more cost effective
18 and it reduces the amount of trauma that
19 homelessness causes.

20 COUNCILMAN JONES: So one other
21 cite. Councilman Domb took the challenge
22 to go down to Landlord Tenant Court with
23 me and spent the day, where his eyes were
24 opened to some of the processes. So he's
25 not here, but I want to thank him for

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2 taking a deeper dive into this issue.

3 Thank you, Mr. Chairman.

4 COUNCILMAN GREENLEE: Thank
5 you, Councilman.

6 No other questions or comments
7 for this panel, thank you all. Again,
8 thank you both for coming down. It was
9 really appreciated.

10 (Applause.)

11 COUNCILMAN GREENLEE: Ms.
12 Marconi, our second panel, please.

13 THE CLERK: Rochelle Fedullo
14 and Ethan Fogel.

15 (Witnesses approached witness
16 table.)

17 COUNCILMAN GREENLEE: Good
18 morning. For the record, we have both of
19 your testimonies, written testimonies.
20 The full testimony will be made part of
21 the record. So whoever would like to go
22 first.

23 MS. FEDULLO: Thank you. Good
24 morning, Chair Greenlee, Vice Chair
25 Green, other members of Council. My name

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2 is Rochelle Fedullo. It is my tremendous
3 privilege and honor to be the Chancellor
4 of the Philadelphia Bar Association.

5 We're the oldest bar association in the
6 country. I am also honored to be a
7 lifelong citizen of Philadelphia. I've
8 never lived more than 20 minutes from
9 City Hall on the C bus. I grew up in the
10 Logan section of Philadelphia. And I was
11 the daughter of a single mother who had
12 to pay the rent every month in our
13 duplex.

14 I want to thank Ms. Campbell
15 and Ms. Thompson for the bravery in
16 coming here today. It wasn't easy for
17 them, but their story is compelling and
18 we needed to hear it. They are the
19 people who are impacted every day by the
20 eviction crisis.

21 I am honored to appear today on
22 behalf of our association to urge City
23 Council to pass Bill 190386, which will
24 provide free legal representation to the
25 City of Philadelphia's low-income tenants

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2 facing eviction.

3 I wish to commend City Council
4 for holding a hearing on the eviction
5 crisis in 2017. I thank the Mayor, City
6 Council President Darrell Clarke, and
7 members of Council for providing funding
8 for the pilot Philadelphia Eviction
9 Prevention Project. Following that
10 hearing, our Bar Association commissioned
11 a cost-benefit analysis report conducted
12 by Stout Risius Ross, LLC in 2018. The
13 report is compelling and makes a powerful
14 economic case for the passage of a right
15 to counsel ordinance.

16 The creation of a right to
17 counsel for low-income tenants facing
18 eviction is a sound and cost-effective
19 solution to combat the devastating
20 effects of our city's eviction crisis and
21 reduce the poverty rate. It will prevent
22 homelessness and avert the trauma and
23 harm to tenants and their families from
24 being disruptively displaced. It will
25 also stabilize and strengthen

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2 neighborhoods and improve and preserve
3 the housing rental stock for low-income
4 tenants across the City.

5 I'm going to briefly supplement
6 my written testimony by sharing my own
7 personal experience as a former high
8 school teacher in the City of
9 Philadelphia. I taught at William Penn
10 High School many decades ago. It's no
11 longer there in West Philadelphia. And I
12 can recall a brilliant young student that
13 I taught in 10th grade who was in a very
14 difficult family situation. I recall
15 that by the time of her senior year, she
16 was evicted and she had to move into a
17 Salvation Army shelter. It was
18 devastating to her. I don't know to the
19 extent she ever was able to recover from
20 that trauma. These are real people, like
21 the people we just spoke to, every day
22 facing the challenges of potential
23 homelessness.

24 I thank you for the opportunity
25 to provide testimony on this critical

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2 matter. It's my privilege to introduce
3 Ethan Fogel, a partner at Dechert LLP,
4 who served as our principal liaison to
5 Stout in the preparation of their
6 cost-benefit report.

7 Ethan.

8 COUNCILMAN GREENLEE: Thank
9 you. Thank you.

10 Sir, please identify yourself
11 and proceed.

12 MR. FOGEL: Ethan Fogel,
13 Dechert LLP. I'm a member of the Civil
14 Gideon and Access to Justice Task Force.
15 I thank you, Chancellor Fedullo, for your
16 remarks and thank you, Chair Greenlee and
17 Vice Chair Green, members of the
18 Committee and other Councilmembers, for
19 this opportunity to testify about this
20 very, very important legislation.

21 I want to congratulate you on
22 the leadership role that you're playing
23 in this nationwide right to counsel
24 movement, joining New York, San
25 Francisco, Newark, New Jersey, and

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2 Cleveland, which have already enacted
3 such legislation to address the eviction
4 crisis and several other cities,
5 including Los Angeles, Detroit, and
6 others that are in the process of making
7 right to counsel a reality.

8 You already have my detailed
9 written testimony regarding the Stout
10 impact report and the economic savings to
11 the City of enacting this legislation,
12 but for today I wanted to highlight the
13 two main reasons why this legislation is
14 so important.

15 First, I believe that it is the
16 fair and just thing to do. This
17 legislation looks to level the playing
18 field in this critical area whose impact
19 disproportionately affects women with
20 children and people of color. It would
21 provide a lawyer to help our city's
22 poorest residents when they face the
23 prospect of losing their home to
24 eviction.

25 Right now 80 percent of

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2 landlords are represented in these cases,
3 but only 10 or fewer percent of the cases
4 involve representation for tenants.

5 Without help navigating complex rules and
6 negotiating against trained lawyers,
7 you've heard from witnesses today, poor
8 tenants face an imbalance of power who
9 are denied justice. They bear the risk
10 of life-changing trauma and being forever
11 shut out of the rental market. Our most
12 vulnerable residents face the greatest
13 risks with the least assistance.

14 Consider the dramatic impact
15 that legal representation makes in
16 helping tenants avoid what the Stout
17 report calls disruptive displacement.
18 The Stout report looked at five years of
19 case data and concluded that without a
20 lawyer, families are abruptly out on the
21 street in about 78 percent of the cases,
22 while with representation they're out on
23 the street in only about 5 percent of the
24 cases. Legal representation dramatically
25 reduces the crippling disruption that our

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2 residents face, and so it is simply the
3 right thing to do.

4 Which brings me to the second
5 main reason why this legislation is so
6 important. Not only is this legislation
7 fair and just, but it will also relieve
8 the City of the enormous economic impact
9 that the City now bears, which others
10 have alluded to, when evictions proceed
11 unchecked.

12 While the Stout report
13 recognized the serious impact that
14 eviction plays in some unquantifiable
15 ways that Councilmembers have addressed,
16 Ms. Gladstein has addressed, our
17 Chancellor has addressed, Stout took a
18 very, very conservative approach that
19 focused only on readily quantifiable cost
20 savings. They concluded that for every
21 dollar spent by the City on legal
22 representation, the City would reap over
23 \$12 in cost savings, including shelter
24 costs. By spending three and a half
25 million dollars on legal representation

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2 for tenants at or below 125 percent of
3 the federal poverty level, the City would
4 save over 45 million in avoided costs.
5 Again, \$12, almost \$13 to one ratio. At
6 higher poverty levels, the cost savings
7 are even greater.

8 In sum, the net result of
9 investing in legal representation for
10 low-income tenants facing eviction is far
11 better than break-even. It's not only
12 the fair and just thing to do, but it
13 makes good bottom-line economic sense.

14 Thank you once more, and I
15 would be happy to answer questions.

16 COUNCILMAN GREENLEE: Thank
17 you.

18 Thank you both.

19 Mr. Fogel, I'm glad you put
20 that -- like I said, this is about
21 people's lives, number one, but for
22 anybody that thinks the City is spending
23 money on this unfairly or unjustly, I
24 think that report says it. Obviously
25 we're actually saving money. So we can

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2 be called fiscal conservatives for this.

3 MR. FOGEL: Absolutely.

4 COUNCILMAN GREENLEE: I don't

5 know if I want to be called a fiscal

6 conservative.

7 Councilman Green.

8 COUNCILMAN GREEN: Thank you,

9 Mr. Chair.

10 I want to thank both of the

11 panelists for your presentation and

12 testimony this morning.

13 Mr. Fogel, I had a few

14 questions. You made reference to other

15 cities that have right to counsel, I

16 think New York, San Francisco, Cleveland.

17 Are there any situations where in those

18 cities they do not provide counsel to an

19 individual?

20 MR. FOGEL: The cities that I

21 mentioned that have already enacted right

22 to counsel are all providing counsel.

23 COUNCILMAN GREEN: Right. In

24 those cities and that legislation, is

25 there any situation where they do not

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2 provide legal counsel? Like is there a
3 scenario --

4 MR. FOGEL: They all have
5 income standards, for example. San
6 Francisco, I believe, does not actually.
7 I think it promises to provide right to
8 counsel to all tenants of whatever income
9 level, but by and large, the cities are
10 imposing economic poverty standards.

11 COUNCILMAN GREEN: And so the
12 only restriction for legal representation
13 is income in those cities?

14 MR. FOGEL: That's my
15 understanding, but I'm not an expert on
16 the other cities' legislation.

17 COUNCILMAN GREEN: And my
18 understanding under this legislation has
19 the same perspective, that as long as you
20 have an income threshold, then you're
21 entitled to right to counsel.

22 MR. FOGEL: That's correct. My
23 understanding is that the proposed
24 legislation focuses on 200 percent of the
25 federal poverty level.

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2 COUNCILMAN GREEN: Okay. Are
3 there any situations where you think a
4 person should not receive counsel?

5 MR. FOGEL: I don't think so in
6 terms of evaluating their case. There
7 may be situations where the law does not
8 support pursuing a defense, and in that
9 case, perhaps -- even in those cases, I
10 would say there's an opportunity to
11 negotiate a soft landing. And after all,
12 the Stout report's focus was on
13 disruptive displacement, because the City
14 starts bearing those costs primarily when
15 people are out on the street in an abrupt
16 manner. If we can provide a soft
17 landing, an opportunity to find other
18 housing, avoiding a money judgment, those
19 all inure not only to the tenants that
20 are being represented, but also to the
21 City. So I think it is responsible as a
22 general matter to provide the counseling
23 and representation to all tenants who fit
24 the economic requirements.

25 COUNCILMAN GREEN: What if

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2 someone was convicted of a criminal case?

3 Would they still be entitled to right to
4 counsel?

5 MR. FOGEL: Yes, in terms of
6 evaluating their situation. I think the
7 human aspect in the criminal justice
8 system still applies. People serve their
9 time, for example, and come back into
10 society, and it's good for society to
11 provide reentry to citizens who have --
12 particularly when they serve their time.

13 COUNCILMAN GREEN: But I'm
14 saying more specifically if someone was
15 convicted of a criminal matter in their
16 actual rental unit and then it was
17 basically on that reason why the property
18 owner wanted to do an eviction.

19 MR. FOGEL: I think in that
20 case -- well, I'm not the arbiter of how
21 this program would work, but my personal
22 opinion would be that it would be better
23 for that citizen and better for the City
24 to evaluate the case and determine
25 whether there are appropriate defenses.

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2 Likely conducting criminal activity in
3 the property would not be -- would not
4 give them an appropriate right to stay
5 and they would be evicted for a breach of
6 a condition of the lease. So lawyers
7 don't make magic out of cases that have
8 bad facts, but they do provide a useful
9 service.

10 So I wouldn't say that -- in my
11 ideal structuring of the program, and I'm
12 not in that position, I would say it
13 would be appropriate to evaluate the case
14 and determine how and whether to go
15 forward without absolutes.

16 COUNCILMAN GREEN: Without
17 knowing the amount of resources that will
18 be devoted to this initiative and that a
19 concern when you have limited resources
20 and when you have like the two young
21 ladies that testified today where they
22 clearly if they were in a situation where
23 this legislation was in effect, clearly
24 were the type of people we want to make
25 sure have access to counsel, but if we

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2 had limited resources and you have a
3 situation where we have a finite amount
4 of resources where you have two
5 individuals like the people who testified
6 versus someone that committed a criminal
7 offense and was convicted of that offense
8 in that rental unit, how do you balance
9 those two issues?

10 MR. FOGEL: I think those are
11 all valid concerns, and there has to be a
12 balance. So I agree with you about that.
13 I mean, my only personal experience, I've
14 never had -- I've handled hundreds of
15 cases and I've never had that situation.
16 So I wouldn't want that kind of specific
17 fact to overwhelm how we consider this.

18 But I agree with you on the
19 general principle that we have to balance
20 our approach and we have to use our
21 resources intelligently. And so I don't
22 say it's a non-issue at all, but I think
23 it's an issue that would be considered
24 along with many other factors.

25 COUNCILMAN GREEN: Okay.

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2 Thank you, Mr. Chair.

3 COUNCILMAN GREENLEE: Thank
4 you.

5 Any other questions?

6 COUNCILWOMAN GYM: I just want
7 to thank the panel for your great
8 partnership on this issue over many, many
9 years, and I know you've led and
10 championed the work of civil Gideon for
11 much longer than some of us have been on
12 Council. So I want to just thank you for
13 your partnership over this.

14 MR. FOGEL: Thank you very
15 much.

16 MS. FEDULLO: And we thank you
17 for your leadership.

18 COUNCILMAN GREENLEE: Thank you
19 both for being here. Thank you.

20 (Applause.)

21 COUNCILMAN GREENLEE: Ms.
22 Marconi, our next panel, please.

23 THE CLERK: Barrett Marshall,
24 David Williams, and Andres Celin.

25 (Witnesses approached witness

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2 table.)

3 COUNCILMAN GREENLEE: Now, this
4 is the final panel I have on record. Is
5 there anyone else here to testify on this
6 bill?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, okay. Fine.

10 Actually, while they're sitting
11 down, let me just put on the record. We
12 have a number of written testimonies from
13 a SeniorLAW client, Ms. Harris; from
14 Michele Cohen, who is here; Project HOME;
15 Association of Community Development
16 Corporations; and Dr. Gregory from
17 Children's Hospital, all in favor of the
18 bill. We have one letter in opposition
19 to the bill, the Greater Philadelphia
20 Association of Realtors. I'll note for
21 the record we got that at 5:15 last
22 night, and I'll finally note for the
23 record the bill was introduced on May
24 9th.

25 Thank you. Just noting for the

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2 record.

3 Whoever would like to go first.
4 Please, we're running a little behind, so
5 please be as brief as possible.

6 MR. CELIN: Good morning,
7 members of Council, the panel, and
8 everybody present here today. My name is
9 Andres Celin and I'm the Lead Organizer
10 at Youth United for Change, or YUC. At
11 YUC, we train mostly black and brown
12 working-class high school students to
13 develop their social and political
14 leadership, by running grassroots
15 campaigns to improve the quality of our
16 public education, and by increasing voter
17 turnout in our community in West
18 Kensington. For the last three years,
19 I've also worked with Lakeside Global
20 Institute as a certified trainer on
21 trauma-informed care.

22 Before serving in both of these
23 capacities, I ran a mentoring program at
24 Edison High School, worked as a family
25 case manager, and ran a parenting

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2 education program at Congreso de Latinos
3 Unidos in North Philly.

4 I am here testifying today
5 because throughout my entire professional
6 career, I've worked with countless of
7 your constituents and have witnessed time
8 and time again the profound impact that
9 evictions and housing instability causes
10 for thousands every year. Everybody in
11 this room knows that 20,000 evictions a
12 year is a crisis. And like so many
13 others, as Councilwoman Gym pointed out,
14 it's a crisis that most directly and
15 disproportionately affects black and
16 brown women and black women in
17 particular. Some of you may have
18 experienced this up close, but I know
19 some of you have not.

20 We've all seen homelessness in
21 its most violent form, fellow
22 Philadelphians sleeping on the street,
23 under blankets, in the wintertime. But
24 what we rarely see and what happens a lot
25 more often is folks having to jump around

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2 from friend's couch to friend's couch,
3 not knowing where they're going to sleep
4 in a few days after being evicted. It's
5 parents having to decide whether they're
6 going to take their kids to school on the
7 bus from another part of town, hoping the
8 school doesn't realize they don't live in
9 the catchment area anymore, or show up to
10 work on time that day.

11 Being evicted tears at any
12 parent's ability to care for their
13 children in the most basic way, by
14 keeping them safe. And this deep and
15 painful form of instability ripples
16 across all the other parts of people's
17 lives that hold families up, their
18 ability to hold a job, their ability to
19 eat well and regularly, to spend calm
20 quality time with their children, or to
21 help them with homework. The eviction of
22 an individual destabilizes entire
23 families.

24 None of us here can in good
25 conscience expect a high school student

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2 to keep retaining new information in a
3 classroom or develop their leadership
4 skills when they're worried sick about
5 where their younger sibling is going to
6 sleep that night. And yet so many young
7 people do this every day. But it also
8 runs deeper. I know personally adults
9 who struggle every single day, because
10 having been homeless as a child they
11 still often can't sleep at night, because
12 in their bones they feel like the world
13 is never going to be safe for them. And
14 we pass on these fears to our children.

15 There is ample research that
16 shows that the fear and toxic stress
17 compounded by not having a stable place
18 to call home actually gets wired into our
19 neural pathways, and the trauma it causes
20 can negatively impact every single aspect
21 of a child's cognitive development.

22 So we're not here today asking
23 you to put forward unreasonable solutions
24 or to make promises you can't keep. As
25 was mentioned before, with 80 percent of

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2 landlords having access to an attorney
3 when it comes to handling eviction and
4 just 11 percent of renters having access
5 to one, in a city where half of us are
6 renters, what we're asking you for today
7 is basic. We're simply asking you to
8 give your constituents a fighting chance
9 to keep their home, just to keep their
10 home.

11 Thank you.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 Whoever would like to go next.
15 (Applause.)

16 MR. WILLIAMS: Chair Greenlee,
17 Vice Chair Green, members of the
18 Committee on Law and Government, and
19 other members of City Council, good
20 morning. I'm David Williams. I'm the
21 President of the Barristers' Association
22 of Philadelphia, one of the largest and
23 oldest associations of black lawyers in
24 America. It is my privilege to appear
25 today on behalf of our members and to

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2 provide an additional perspective as you
3 consider the important right to counsel
4 legislation before you.

5 Eviction rates are a strong
6 indicator of neighborhood stability and
7 quality of life. Unfortunately, eviction
8 rates in Philadelphia are not evenly
9 distributed across Philadelphia
10 neighborhoods. Research by The
11 Reinvestment Fund shows that eviction
12 rates in predominantly black
13 neighborhoods in Philadelphia are on
14 average two to three times higher than
15 eviction rates in predominantly white
16 areas.

17 As you know, roughly 25 percent
18 of Philadelphians and 31 percent of black
19 Philadelphians live below the poverty
20 line. When these tenants seek to assert
21 their rights in Landlord Tenant Court,
22 they are among those least likely to be
23 able to afford representation.

24 And make no mistake, these
25 tenants need representation.

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2 Court can be an intimidating
3 place for the average Philadelphian,
4 where she may find herself governed by
5 complex procedures and rules, opposed by
6 a skilled legally trained attorney, and
7 overseen by a seemingly imposing judge.
8 In fact, many Philadelphia tenants simply
9 do not file a legal claim even when they
10 are illegally locked out of their homes
11 or faced with life-threatening living
12 conditions because they perceive that the
13 legal system will not serve them or they
14 simply fail to recognize they have a
15 right to a legal action.

16 Landlord Tenant Court is
17 premised upon an adversarial system that
18 presumes both sides are equally
19 represented. Yet studies show that
20 tenants are not represented on average in
21 over 90 percent of the eviction cases
22 filed. On the other hand, landlords on
23 average are represented in over 80
24 percent of the cases.

25 This disparity should shock

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2 everyone in this room. Having legal
3 representation is often the difference
4 between keeping one's home or becoming
5 homeless. Right to counsel is essential,
6 because represented tenants not only
7 receive more time to vacate their
8 apartments than unrepresented tenants,
9 they also receive a judgment in their
10 favor more frequently.

11 The Barristers' Association of
12 Philadelphia supports policies that
13 increase low-income Philadelphians'
14 access to free non-lawyer tenant
15 assistance and free legal representation
16 in Landlord Tenant Court. Though this
17 civil justice issue disproportionately
18 affects black Philadelphians, all
19 Philadelphians benefit from the right to
20 counsel through the avoidance of
21 disruptive displacement and cost savings
22 to the City.

23 Thank you.

24 COUNCILMAN GREENLEE: Thank
25 you.

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2 (Applause.)

3 COUNCILMAN GREENLEE: Please.

4 MS. MARSHALL: Good morning. I

5 want to take one last opportunity to
6 thank Ms. Campbell and Ms. Thompson,
7 because they are the reason we are all
8 here. So thank you both so much for
9 sharing your stories with us.

10 I want to thank the Committee
11 and Committee Chair Greenlee for the
12 opportunity to offer this testimony and
13 the perspective of the Philadelphia
14 Eviction Prevention Project on the bill
15 that created tenants' right to counsel.

16 I'm Barrett Marshall and I'm
17 the Director of the Philadelphia Eviction
18 Prevention Project and a Supervising
19 Attorney in the Housing Unit at Community
20 Legal Services.

21 The Philadelphia Eviction
22 Prevention Project, PEPP as it is
23 affectionately called, is an
24 extraordinary example of the power of
25 collaboration between legal services

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2 providers like SeniorLAW Center, Legal
3 Clinic for the Disabled, Philly VIP, and
4 Community Legal Services, our tenants'
5 advocates at TURN, our financial
6 counselors at Clarifi, and the City to
7 create real change for the most
8 vulnerable residents in Philadelphia.
9 PEPP has used expert legal
10 representation, courtroom navigators,
11 lawyers on site at court, community
12 outreach, and tenant education as primary
13 pillars in our efforts to stem the
14 eviction crisis. In the two years since
15 its inception, PEPP has not only
16 prevented eviction and homelessness,
17 asserted tenants' rights, stabilized
18 housing for families, and increased
19 tenant education, it has begun the work
20 of truly making eviction court a fairer
21 and more just place, and we are
22 leveraging this work directly to address
23 poverty in Philadelphia.

24 What we know clearly from the
25 data being presented here -- and you've

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2 heard this many, many times today, but it
3 bears repeating -- is that this is a
4 crisis with an acute racial disparity.

5 Even when controlling for income,
6 families of color are disproportionately
7 impacted by eviction. 74 percent of the
8 tenants that come to PEPP for assistance
9 are black. This is also a crisis that
10 deeply affects women. 70 percent of the
11 tenants we've assisted are women. This
12 is a crisis that is disproportionately
13 affecting black mothers and their
14 children. More than half of those
15 assisted through our program have been
16 parents.

17 While this bill is targeted to
18 help low-income Philadelphians, passing a
19 tenant's right to counsel is a primary
20 tool for combatting systemic racism in
21 Philadelphia and for keeping families
22 safe.

23 We know that having a lawyer
24 makes a tremendous difference for
25 tenants. Since PEPP was created through

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2 the work of Councilmember Gym, many other
3 Councilmembers, and the Mayor's Eviction
4 Task Force, we have seen tremendous
5 positive outcomes for tenants. We thank
6 you for your support of this program and
7 for allowing this to happen.

8 Tenants receiving PEPP services
9 remain in their homes for longer, they
10 have significantly reduced money
11 judgments and, most importantly, these
12 tenants are coming to agreements with
13 their landlords that preserve their
14 housing, that keep them housed.

15 We have seen for almost two
16 years now that expanding legal
17 representation to low-income tenants
18 actually works. We know that housing is
19 a basic foundation for so many health
20 measures in any community, and we know
21 that legal representation is keeping
22 people in their homes. So what we know
23 is that legal representation is
24 stabilizing our communities across the
25 City.

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2 So representation truly has the
3 power to change lives and generate equity
4 where we've previously seen disparity,
5 but we are not there yet. PEPP has shown
6 us what is possible, but there are
7 thousands of tenants who still need this
8 representation.

9 Passing a tenant's right to
10 counsel will allow us as a city to stem
11 this crisis. Preventing evictions keeps
12 people in their homes and in their
13 communities. Stable communities are our
14 greatest weapon against poverty. This is
15 our opportunity to place that which is
16 truly important to all Philadelphians -
17 home, family, and community - at the
18 center of our concerns. I encourage you
19 to hold those values dear and to protect
20 them by passing a tenant's right to
21 counsel.

22 Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you.

25 Thank you all. Thank you for

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2 your work.

3 (Applause.)

4 COUNCILMAN GREENLEE:

5 Councilman Green.

6 COUNCILMAN GREEN: I want to
7 thank the panel for their testimony this
8 morning. I particularly want to thank
9 Mr. Williams for your testimony as a
10 member of Barristers' Association. You
11 are bringing back a level of advocacy
12 that we have not seen in some time where
13 the Barristers are getting much more
14 involved in policy issues like this in
15 reference to representing people
16 especially of the African diaspora.

17 So thank you for your testimony
18 and your attendance here today and for
19 bringing back that level of advocacy and
20 activism back to the Barristers. So
21 thank you.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 No other questions. Thank you
25 all very much. Thank you for coming.

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2 (Applause.)

3 COUNCILMAN GREENLEE: All

4 right. Being no other person that wants
5 to testify, we're going to move on to our
6 next bill, but for those of you who are
7 in the room, I think you're mostly here
8 for this bill. We have two other bills,
9 which should have just one witness,
10 according to my record. After that, we
11 will go into a public meeting where we
12 actually pass the bill out of Committee.
13 So just to let you know what we're doing
14 here.

15 So, Ms. Marconi, will you
16 please read the title of the other two
17 bills before us.

18 THE CLERK: 190786, an
19 ordinance amending Chapter 17-1400 of The
20 Philadelphia Code, entitled
21 "Non-Competitively Bid Contracts;
22 Financial Assistance," by making
23 revisions to definitions; to contract and
24 reporting requirements; to exceptions;
25 and to enforcement provisions; and making

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2 related changes to Section 20-613 of The
3 Philadelphia Code, entitled
4 "Ethics-Related Matters Incorporated as
5 Part of this Chapter"; all under certain
6 terms and conditions.

7 COUNCILMAN GREENLEE: Thank
8 you.

9 If you are leaving, please
10 quietly. That means don't talk until you
11 get to the hallway, because it's hard to
12 hear if people as they're moving out are
13 talking.

14 You read both?

15 THE CLERK: You want both?

16 COUNCILMAN GREENLEE: Yes,
17 both. I'm sorry.

18 THE CLERK: And Bill No.
19 190787, an ordinance amending Chapter
20 17-1400 of The Philadelphia Code,
21 entitled "Non-Competitively Bid
22 Contracts; Financial Assistance," to
23 provide for regulations and for special
24 provisions for certain small-dollar
25 contracts, under certain terms and

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2 conditions.

3 (Witness approached witness
4 table.)

5 COUNCILMAN GREENLEE: Thank
6 you.

7 Ms. Tipton, why don't you speak
8 on both bills.

9 MS. TIPTON: Sure. Of course.
10 Good morning still --

11 COUNCILMAN GREENLEE: Just
12 about.

13 MS. TIPTON: -- Councilmember
14 Greenlee, Chair of the Committee on Law
15 and Government, bill sponsor and
16 Committee Vice Chair Councilmember Green,
17 and the other members of the Committee on
18 Law and Government. My name is Stephanie
19 Tipton. I'm the Acting Chief
20 Administrative Officer for the City of
21 Philadelphia, and I am here to testify in
22 support of Bill No. 190786, as amended.

23 The Office of the Chief
24 Administrative Officer, or CAO, is
25 charged with the oversight of the City's

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2 core administrative functions and
3 departments, including, among others, the
4 Procurement Department and the Contracts
5 Unit. Our goal is to ensure that the
6 City services are efficient and
7 effective, inclusive and equitable,
8 transparent, and conducted with
9 integrity.

10 Bill No. 190786 proposes
11 improvements and clarifications to
12 Chapter 17-1400 of The Philadelphia Code
13 governing non-competitively bid contracts
14 and financial assistance. These
15 amendments are based on more than 13
16 years of lessons learned since the
17 Chapter's adoption in 2005.

18 The proposed amendments
19 detailed in the bill are part of a
20 broader effort to make improvements to
21 Chapter 17-1400. The goals of this
22 effort are to ease compliance for
23 businesses, establish clear processes,
24 and clarify requirements for businesses
25 and contractors who are seeking to do

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2 business with the City.

3 These amendments serve to
4 supplement regulations to Chapter 17-1400
5 that were also recently introduced. We
6 believe taken together, the amendments
7 and regulations continue to advance the
8 Administration's goal of making our
9 contracting processes more inclusive and
10 efficient, while also furthering the
11 intent of Chapter 17-1400 of eliminating
12 the real or perceived link between
13 political contributions and City
14 contracts.

15 I will now summarize the key
16 provisions of the bill.

17 Currently under Chapter Section
18 17-1402, vendors holding professional
19 services or best value contracts have an
20 ongoing obligation throughout the life of
21 their contract and for one year
22 thereafter to update mandatory disclosure
23 forms within five business days of a
24 reportable event, such as making a
25 campaign contribution. Over the years,

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2 we've received feedback from many
3 businesses that it is both onerous and
4 extremely challenging to comply with the
5 five-year reporting requirement. We
6 agreed, and Section 17-1402, as proposed
7 in the bill, incorporates this feedback
8 by setting a predictable bimonthly
9 schedule for filing the required updates.
10 We believe this change will make
11 complying with the reporting requirements
12 more business friendly, easier to
13 fulfill, and ultimately yield more
14 accurate and actionable compliance data
15 for the City.

16 The bill also expands the
17 limited exceptions available within the
18 Chapter for when a request for proposals,
19 or RFP, would not be required. Currently
20 there are several exceptions to the RFP
21 requirement in Chapter 17-1400; for
22 example, in situations when there is an
23 immediate threat to public health or
24 safety. Over the years of implementing
25 the requirements of the Chapter, we've

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2 identified additional situations where
3 the realities of the marketplace make
4 compliance with the RFP requirement
5 impractical.

6 For example, the bill proposes
7 that contracts for creative expression
8 and entertainment be exempted from the
9 RFP requirement. These engagements are
10 largely event based, highly time
11 sensitive, and the RFP process is wholly
12 inconsistent with industry practices.
13 Compliance with Section 17-1406 has often
14 resulted in the City having difficulties
15 securing the desired artists at City
16 locations like the Dell Music Center due
17 to the inflexibility of the process.

18 The bill also proposes an
19 exception for contracts with rating
20 agencies for bonds or financing.
21 Currently there are only three national
22 rating agencies, and the City is required
23 to utilize all three agencies, thus
24 making the RFP process impractical for
25 these types of services.

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2 The bill also proposes an
3 exception when certain City agencies like
4 the Law Department must enter into
5 contracts with expert witnesses. If the
6 City engaged in a formal RFP process for
7 these types of services, we risk
8 disclosing privileged information or
9 legal strategy to opposing parties.

10 Lastly, the bill proposes
11 exceptions to the RFP process when a
12 limited term extension to an active
13 contract is necessary in order to execute
14 a new contract for the same services or
15 in situations when it's necessary to
16 complete a discrete project and changing
17 contractors would cause a substantial
18 hardship to the City.

19 We've also provided an
20 additional amendment to Section
21 17-1402(1)(e) that you should have
22 received today. This amendment gives the
23 City additional flexibility when
24 assessing liquidated damages if a
25 contractor has failed to meet its ongoing

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2 disclosure requirements.

3 Thank you for the opportunity
4 to testify today. We look forward to
5 working with members of City Council as
6 we continue to modernize and reform the
7 City's contract process. I'd also like
8 to thank Councilmember Green for his
9 partnership with the Administration on
10 these important efforts.

11 This concludes my testimony on
12 this bill. I can -- do you want me to --

13 COUNCILMAN GREENLEE: Why don't
14 we do both, because they're connected.

15 MS. TIPTON: Sure. No problem.
16 I like efficiency.

17 So Bill No. 190787, I'm here to
18 testify in support of the bill. This is
19 a companion piece of legislation should
20 the proposed change to Section 8-200 of
21 the Home Rule Charter, which will be put
22 before voters on the November 5th ballot.
23 Collectively we refer to the proposed
24 Charter change in Bill No. 190787 as the
25 Local Business Purchasing Initiative, or

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2 LBPI. The proposed Charter change would
3 raise the threshold by which a formal bid
4 is required for contracts from 34,000 to
5 75,000 and from 34,000 to 100,000 for
6 contract opportunities that are only open
7 to certified Local Business Entities, or
8 LBEs. These thresholds would be adjusted
9 annually based on the CPI.

10 Further, the proposed Charter
11 change would authorize the Procurement
12 Department to promulgate regulations on
13 how to implement these changes. Since
14 the initial introduction of the Charter
15 change legislation, the Procurement
16 Department and a small internal working
17 group has begun to draft proposed
18 regulations that would require City
19 departments to do such things as
20 proactively solicit minority, women, and
21 disabled-owned businesses, or M/W/DSBEs,
22 to apply for these opportunities,
23 publicly post the opportunities in a
24 central place, and annually report on the
25 participation of local businesses on the

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.
2 contracts.

3 The primary goals of the
4 Charter change and the supplemental
5 regulations are to simplify and expedite
6 the contracting process, particularly for
7 LBES and M/W/DSBES and small businesses,
8 by removing barriers and increasing
9 access and competition for business
10 opportunities with the City. The bill
11 would extend the same changes and
12 requirements that would be established by
13 the Charter change, if approved by the
14 voters, to non-competitively bid
15 contracts for professional services and
16 best value opportunities, which are
17 governed by Chapter 17-1400 of the Code.
18 If passed, the changes proposed by the
19 bill will align the requirements of the
20 Charter change, including the new formal
21 bid thresholds, to all City contracts.

22 Taken together, we believe the
23 changes proposed under the LBPI will have
24 a dramatic impact on the small and local
25 businesses that are the backbone of the

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 Philadelphia economy. In FY18 alone, the
3 City awarded over 800 contracts that were
4 under \$100,000, totalling over 15 million
5 in award contracts. We believe that LBPI
6 will provide businesses, especially local
7 and small businesses, with more
8 opportunities to access these contracts
9 and make the transition from a
10 subcontractor to a prime vendor by
11 removing some of the barriers of entry to
12 City business.

13 Additionally, these changes
14 will bring Philadelphia's procurement
15 processes in line with other major cities
16 and place Philadelphia in the forefront
17 of incentivizing local purchasing. Among
18 the ten largest cities, Philadelphia has
19 the second lowest threshold for when a
20 formal bid or RFP is required. Further,
21 while other cities offer a local
22 preference on bid price, as does the
23 City, Philadelphia will be only one of
24 two cities that have a purchasing tier
25 specifically for local businesses.

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2 Again, I'd like to thank
3 Councilman Green for championing these
4 changes.

5 This concludes my testimony,
6 and I'm happy to answer any questions
7 from the Committee.

8 COUNCILMAN GREENLEE: Thank
9 you, Ms. Tipton.

10 Councilman Green.

11 COUNCILMAN GREEN: Thank you,
12 Mr. Chair.

13 Thank you, Ms. Tipton, for your
14 testimony and thank you for your
15 partnership on this issue. We've gone to
16 many community groups over the summer and
17 in the late part of the spring talking
18 about this legislation. Considering the
19 high poverty rate that we have in the
20 City of Philadelphia, it's come down to
21 25 percent, but that's still way too
22 high. We need to grow out of poverty by
23 growing small businesses in our city.

24 As a former small business
25 owner, as someone who has represented

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2 small businesses, who has also been a
3 lender to small businesses, we need to do
4 a better job of doing business as a city
5 with small businesses. Too often a
6 number of small businesses just decide
7 not to even participate in any type of
8 procurement with the City because of the
9 challenges in going through the process.

10 From my experience both with
11 the National League of Cities and
12 Democratic Municipal Officials, those
13 cities have a much different threshold
14 for contracting. This legislation puts
15 us in line in that regard, and I think
16 it's something that could be beneficial
17 for the City and beneficial for small
18 businesses to grow into more business for
19 the City of Philadelphia. In fact, in
20 just today's Inquirer editorial, they
21 endorsed this legislation for the
22 November 5th ballot. I want to thank you
23 for your support on this issue.

24 And for the other bill, Bill
25 No. 190786, this is also a piece of

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.
2 legislation continuing the push to make
3 it easier for businesses to do business
4 in the City, especially small businesses
5 that don't have large compliance
6 departments. Often small businesses,
7 it's that person who she or he started
8 the business, and trying to go through
9 all the regulations and stay on top of
10 all the regulations as well as trying to
11 sell the goods and services of your small
12 business is very challenging as a small
13 business owner. And so this is another
14 way to make it easier for small
15 businesses to do business in the City of
16 Philadelphia so they can continue to grow
17 and prosper, bringing revenue that can be
18 shared with their employees, which then
19 can be shared with the communities where
20 they live and help us to enhance the
21 quality of life and reduce poverty in our
22 city.

23 So thank you for your
24 testimony, and I thank you for your
25 partnership on these important bills.

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 Thank you, Mr. Chair.

3 MS. TIPTON: Thank you.

4 COUNCILMAN GREENLEE: Thank
5 you, Councilman.

6 Any questions on this bill?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, anyone else here to testify on
10 either 190786 or 787?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, okay. That concludes the hearing
14 of the Committee on Law and Government.
15 We will momentarily go into our public
16 meeting.

17 (Pause.)

18 COUNCILMAN GREENLEE: All
19 right. This is the meeting of the
20 Committee on Law and Government.

21 Before a motion is made,
22 Councilwoman Gym.

23 COUNCILWOMAN GYM: Yes. I just
24 wanted to thank again Ms. Campbell, Ms.
25 Thompson, and we also had another

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 testifier who submitted testimony in
3 person because of her illness, but
4 together, they are truly the reason why
5 we are here. So look forward to moving
6 this vote in their name.

7 COUNCILMAN GREENLEE: Thank
8 you.

9 The Chair recognizes Councilman
10 Green.

11 COUNCILMAN GREEN: Thank you,
12 Mr. Chair. There's an amendment to Bill
13 No. 190386 that's been circulated to all
14 members of the Committee. I move that
15 Bill No. 190386 be amended.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing
24 none, the amendment is adopted.

25 Councilman Green.

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 COUNCILMAN GREEN: Mr. Chair, I
3 move that Bill No. 190386, as amended, be
4 voted out of this Committee with a
5 favorable recommendation and that the
6 rules of Council be suspended so that
7 this bill can be heard and read and have
8 its first reading at our next session of
9 Council.

10 (Duly seconded.)

11 COUNCILMAN GREENLEE: It's been
12 moved and seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN GREENLEE: Opposed?

16 (No response.)

17 COUNCILMAN GREENLEE: Hearing
18 none, Bill No. 190386, as amended,
19 reported out of this Committee favorably
20 with a rules suspension.

21 Councilman Green.

22 (Applause.)

23 COUNCILMAN GREEN: Thank you,
24 Mr. Chair. For Bill No. 190786, there's
25 an amendment to that bill. That

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 amendment has been circulated to all
3 members of this Committee. I move that
4 Bill No. 190786 be amended.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded on the amendment.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?

11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, the bill is amended.

14 Councilman Green.

15 COUNCILMAN GREEN: Thank you,
16 Mr. Chair.

17 COUNCILMAN GREENLEE: Hold.
18 Come on, guys. Give me like 45 seconds.
19 Thank you.

20 Councilman Green.

21 COUNCILMAN GREEN: Thank you,
22 Mr. Chair. I move that Bill No. 190786,
23 as amended, be voted out of this
24 Committee with a favorable recommendation
25 and that the rules of Council be

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 suspended so that this bill can have a
3 first reading at our next session of
4 Council.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?

11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, Bill No. 190786, as amended,
14 reported out of this Committee favorably
15 with a rules suspension.

16 Councilman Green.

17 COUNCILMAN GREEN: Thank you,
18 Mr. Chair. I move that Bill No. 190787
19 be voted out of this Committee with a
20 favorable recommendation and that the
21 rules of Council be suspended so that
22 this bill can have a reading at our next
23 session of Council.

24 (Duly seconded.)

25 COUNCILMAN GREENLEE: It's been

1 10/29/19 - LAW & GOV. - BILL 190386, ETC.

2 moved and seconded.

3 All in favor?

4 (Aye.)

5 COUNCILMAN GREENLEE: Opposed?

6 (No response.)

7 COUNCILMAN GREENLEE: Hearing

8 none, Bill No. 190787 reported out of

9 this Committee favorably with a rules

10 suspension.

11 That concludes the business of
12 the Law and Government Committee.

13 Thank you all very much. Now
14 you can cheer.

15 COUNCILWOMAN GYM: Thank you.

16 (Applause.)

17 (Committee on Law and
18 Government concluded at 11:51 a.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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