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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING
BEFORE COUNCIL COMMITTEE ON RULES

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- - -
Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, Sept. 29, 1999
10:16 a.m.
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BILL 960064 - Amending Title 9 of The Philadelphia Code entitled "Regulation of Businesses, Trades and Professions" by amending Chapter 9-600 entitled "Service Businesses," and by amending Section 9-608 entitled "Real Estate Signs" by amending the terms and conditions pursuant to the time period real estate signs may remain upon premises containing single or multifamily dwellings and by deleting Subsection 2 relating to prohibited signs, all under certain terms and conditions.

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BILL 970744 - Continued until the call of the Chair.

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BILL 990496 - Continued at the request of the sponsor.

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PRESENT: COUNCIL PRESIDENT ANNA C. VERNA, Chair
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN JAMES F. KENNEY
COUNCILMAN FRANK DICICCO
COUNCILMAN W. THACHER LONGSTRETH

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2 P R O C E E D I N G S

3 COUNCIL PRESIDENT Verna: Good morning,
4 everyone. This is the public hearing of the Rules
5 Committee. I would like the record to reflect
6 that Bill No. 970744 will be continued until the
7 call of the Chair, and Bill No. 990496 is being
8 continued at the request of the sponsor.
9 Therefore, the only bill that's going to be
10 considered today is Bill No. 960064.

11 I would ask Mr. DeMarco to please read
12 the title of the bill.

13 MR. DEMARCO: Bill No. 960064, an
14 ordinance amending Title 9 of The Philadelphia
15 Code entitled "Regulation of Businesses, Trades
16 and Professions" by amending Chapter 9-600
17 entitled "Service Businesses," and by amending
18 Section 9-608 entitled "Real Estate Signs" by
19 amending the terms and conditions pursuant to the
20 time period real estate signs may remain upon
21 premises containing single or multifamily
22 dwellings and by deleting Subsection 2 relating to
23 prohibited signs, all under certain terms and
24 conditions.

25 COUNCIL PRESIDENT Verna: Good morning.

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2 Please identify yourself for the record and
3 proceed with your testimony.

4 MS. LUCIDI: My name is Diane Lucidi.
5 I'm director of government affairs for the Greater
6 Philadelphia Association of Realtors.

7 MR. JOHNSTON: My name is Lindsay
8 Johnston. I'm the president of the Greater
9 Philadelphia Association of Realtors.

10 Good morning, members of the City
11 Council Rules Committee. I am Lindsay Johnston,
12 president of the Greater Philadelphia Association
13 of Realtors and broker-owner of Common Ground in
14 University City. I am here today as a spokesman
15 for the association. To testify in support of
16 repealing the citywide ban on real-estate sold
17 signs.

18 The Greater Philadelphia Association of
19 Realtors, established in 1908, is the oldest
20 citywide membership organization available to
21 real-estate professionals and related service
22 providers. Our membership presently consists of
23 over 1300 licensed residential and commercial
24 real-estate agents in the Philadelphia area. The
25 association was founded on the principle of

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2 partnerships with its members, with the community,
3 and with city government. This principle has been
4 the guiding force for the association's continued
5 growth, progress, and success.

6 The City of Philadelphia presently
7 prohibits the posting of sold signs on single or
8 multifamily dwellings in Philadelphia. That's
9 Ordinance 9608. This prohibition is
10 unconstitutional, discriminatory, and harmful to
11 the city and its residents. Philadelphia is the
12 only major city in the country that still enforces
13 this antiquated legislation. Baltimore, Maryland
14 was the last city to repeal the prohibition on
15 sold signs in 1997. We have documentation from
16 the top human-relations directors, both in
17 Baltimore City and in Baltimore County, which I
18 offer as Exhibit A, all in agreement that since
19 the ban on sold signs was lifted in Baltimore,
20 there have been no reported occurrences of block
21 busting and/or panic selling in the city or
22 county.

23 A move in repealing this ordinance is a
24 step in the right direction. Restricting -- I'm
25 sorry, thank you, on to Page 3. Let me back up

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2 here.

3 MS. LUCIDI: Excuse me.

4 MR. JOHNSTON: My apologies.

5 A move in repealing this ordinance is a
6 step in the right direction. Restricting the use
7 of real-estate signs is harmful to the city. The
8 statute, which purports to benefit the citizens of
9 Philadelphia, actually infringes upon their
10 amendment rights of freedom of free speech.

11 This public policy has no place in our
12 city. And because of its dated nature, the
13 questionable real-estate practices which
14 originally spurred the need for this historical
15 law have been curbed by fair housing regulations.
16 The Fair Housing Amendment Act of 1988 and
17 real-estate-related amendments made to the
18 Pennsylvania Human Relations Act in 1986 were
19 enacted for the purpose of repressing these
20 unethical and illegal practices. Further, the
21 Real Estate Commission's rules and regulations
22 prohibit licensees from promoting panic selling
23 and provide severe penalties for those convicted
24 of this practice.

25 As you know, we face a perilous decline

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2 in Philadelphia home ownership and continue to
3 look for ways to attract potential residential and
4 commercial buyers to Philadelphia. The ban on
5 sold signs is a silent deterrent to citywide
6 development and community pride. If I'm right, in
7 the last two months, there have been at least four
8 cover stories that have based their story on the
9 decline in population in the City of Philadelphia.

10 Perception is the basis for all buying
11 decisions. The existence of numerous for-sale
12 signs and no sold signs gives the prospective
13 buyers the sense that people are fleeing the city
14 and thereby diminishing the perceived value of
15 Philadelphia's real estate market to current and
16 future residents.

17 Mayor Rendell has always promoted the
18 city as a progressive place to live and work,
19 especially to major corporations. The mayor's
20 Business Action Team works diligently to convince
21 companies that Philadelphia is the place to work
22 and live. However, when a company decides to
23 relocate, housing for relocating staff is a key
24 issue to the final decision.

25 In an area sweep of Philadelphia,

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2 potential transferees would only note that there
3 are many properties for sale. Because there are
4 no sold signs, the logical conclusion often that
5 is reached is that houses are not being sold, and
6 these homes and their respective areas are not
7 desirable places to live. By placing a sold sign
8 on the property, we send a very strong message to
9 the potential buyers that people are investing in
10 the city and that it is a desirable place to live
11 and work.

12 City Council should desire to implement
13 laws which form the basis of a rational and legal
14 housing policy. It should encourage ownership of
15 real property through the least intrusive means so
16 that all citizens have the right to buy and sell
17 real property in a constitutionally permitted
18 manner. Since City Council is truly concerned
19 with improving the residential fabric of the city,
20 it should do so in a way that does not restrict
21 the marketability of a property, which is
22 strategically dependent upon signages.

23 Prohibiting sold signs prevents the
24 flow of information to the community at large,
25 advising that sellers are successful in finding

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2 buyers for their homes; and, thus, revitalizing
3 our neighborhoods. The impression created by the
4 sold sign ban is that homes never sell in
5 Philadelphia. Consequently, these dangerous
6 perceptions take root in the reality of
7 neighborhood deterioration and flight from the
8 residents to surrounding counties and states.

9 I am aware that there is a letter from
10 the Center City Housing Association that is
11 disappointed in what this bill represents. I
12 would tell you that their problem is more with
13 Bill 51, which is with signage in general, and
14 this is not their issue, and we would be happy to
15 work with them with their concerns.

16 But for now, we urge City Council to
17 repeal this law through the adoption of Bill 26 so
18 that the City and the real-estate community can
19 move beyond the blemishes of the past. Allowing
20 the use of sold signs gives the perception that
21 Philadelphia is a viable place to live and to work
22 and that the real-estate market is not stagnant.

23 I thank you for giving me the
24 opportunity to speak with you today.

25 COUNCIL PRESIDENT VERNA: Thank you

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2 very much.

3 At this time, the Chair recognizes
4 Councilman Kenney.

5 COUNCILMAN KENNEY: Thank you very
6 much, Madam Chairwoman.

7 We've been at this effort now for a few
8 years, and I understand and agree with and accept
9 the contention, through my own visible -- from my
10 own viewing of the situations in neighborhoods,
11 that it is very frustrating to see sale sign after
12 sale sign after sale sign, sometimes four and five
13 on the block, and really never know in your own
14 mind the disposition of that property or what's
15 going on with it.

16 One of the things that I raised
17 privately to your association, and I want to raise
18 publicly today, is something that I noticed while
19 down at the Jersey shore this summer. There also
20 is always a lot of signs there. They say every
21 house at the Jersey shore's for sale at any given
22 time. But I also noticed a lot of signs out on
23 the lawns and then also the additional of a sign
24 that says "sale pending," which would lead me to
25 believe that someone has at least made an offer on

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2 that property and that the potentiality of going
3 to settle on that property is pretty real.

4 Some of the opposition that I've gotten
5 -- as a matter of fact, we've gotten today from
6 the insurance company -- from a real estate and
7 insurance company, is that they're saying that the
8 sold sign really is misleading because it's really
9 not sold until the settlement happens. And then
10 once the settlement happens, there's no need for a
11 sign on it anyway.

12 So I'm wondering whether or not the
13 sale-pending issue, or the sale-pending
14 designation, sends the message we want to send
15 while, at the same time, not having to deal with
16 this law at all because it's not putting a sold
17 sign on the property.

18 MR. JOHNSTON: We have not discussed
19 whether a sale-pending sign would be a
20 satisfactory alternative. However, as it stands
21 now, a sale-pending sign is also against the
22 present rules.

23 COUNCILMAN KENNEY: Could you tell me
24 where it is? I think it's just the use of -- see,
25 I mean, we go back to the '70s. The issue that

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2 created this situation in the first place was that
3 some unscrupulous property owners and real-estate
4 people were using the sold sign, the negativity of
5 a sold sign, making it very prominent in the
6 community, sending a message to the people living
7 there that it was time to get out of your
8 neighborhood, you know, that everybody was
9 running. And that was done for the financial
10 benefit to those particular individuals and to the
11 social but it was to the economic detriment of the
12 neighborhoods that they were doing it in. And I
13 think at the time, it was probably an appropriate
14 effort to stop the use of those sold signs.

15 I agree with you totally that as time
16 has gone on, the proliferation of sale signs today
17 has the same detrimental effect as the sold signs
18 did in the '70s. I think I get the same message
19 from the proliferation of sale signs in every
20 neighborhood as I would have gotten from the sold
21 signs back in the '70s.

22 The problem that we face today in
23 dealing with this legislation is that, as we had
24 in the past, we have a Center City problem, as
25 you've mentioned in your testimony, because they

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2 have arguments not necessarily with the issue of
3 sold versus sale but with the issue of size,
4 length of time that the sign stays up, the
5 A-frames protruding from the wall -- we went
6 through all of this discussion with the Center
7 City people in the past. And one of the things
8 that I wanted to do was to try to separate the two
9 issues by continuing to prohibit the sold signs in
10 Center City, while at the same time allowing the
11 neighborhoods, which are basically single-family
12 row houses where you see all of these signs, to
13 maybe do the sold sign or sale-pending issue.

14 My problem is that the issue of signage
15 gets so involved with all of these other issues
16 that we lose sight of the fact of what we're
17 trying to cure here -- and that is the view that
18 people in every neighborhood are selling their
19 houses and running. So we get involved with
20 aesthetics, with size, with length of time, with
21 whether or not people want signs on the property
22 at all. There are some people who will come in
23 and argue that they don't want a sale sign on the
24 property under any circumstance or a rental sign
25 on the property under any circumstance. I mean,

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2 we try to deal with and cure one problem that's
3 facing the neighborhoods in an economic way and
4 then all of this other stuff gets thrown on top of
5 it, and we wind up getting nowhere.

6 So that's why I'm suggesting two things
7 now: consideration of an agreement that will
8 leave Center City out of it for the moment,
9 because they seem to be the ones most animated
10 about the issue of signage; and to also maybe
11 consider the possibility of doing the sale-pending
12 sign as opposed to the sold sign. I'm not asking
13 for you to give me a definitive answer on it today
14 but to kind of just put that into the thought
15 process.

16 MR. JOHNSTON: There are a lot of
17 questions and a lot of things that I'd like to
18 respond to. I will start with the whole issue of
19 sold, sale-pending. In the nomenclature of the
20 industry, "sold" is "sale pending." I mean, of
21 course, anywhere else you are and that sold sign
22 is up, it is still the same situation -- that sale
23 is in the process, there is a binding contract on
24 the property.

25 My statement that my understanding was

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2 that the sale-pending sign was illegal was based
3 on conversations with other real-estate agents
4 who, over the years, have tried to -- tried to
5 sidestep the issue of sold signs by putting up a
6 sale-pending sign, or whatever, and still has
7 gotten busted by L&I for that language, saying
8 that is the same as a sold sign, that can't stand.

9 I do agree with you, but I have not
10 discussed this with -- I am not the association,
11 I'm just a spokesperson -- that anything, even a
12 sale-pending sign, does give the idea -- does
13 further the idea that there is activity in the
14 city.

15 One of the reasons why I brought this
16 sign was to show you that one of the issues with
17 Center City -- and, geez, I wish all of our
18 neighborhoods were as healthy and as vital as
19 Center City, but their problem is with more
20 signage. I don't create another sign here; all I
21 do is, I take a little tag and I stick it up over
22 my sale sign and it says "sold." And that's it.
23 So it's not a further visual pollution, or
24 whatever, to the neighborhood.

25 I believe on residential sale signs,

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2 there is a limit as to the size of a residential
3 sales sign, and I believe it's an 18-by-24 or a
4 24-by-36; and on a protruding sign, I think it's
5 an 18-by-24. So when we start talking about these
6 signs, etc., we're talking about commercial
7 signage. And, again, we are willing to address
8 those issues with the Center City residents
9 associations.

10 COUNCILMAN KENNEY: I think one of the
11 Center City complaints is that it's not an issue
12 of necessarily a house that's up for sale or a
13 property that's up for sale; it's an A-frame on
14 the wall which advertises continual rental. So if
15 you have an issue -- and this is -- I'm not --
16 don't shake your head because I'm not necessarily
17 in agreement, I'm just telling you what was
18 articulated to me, that you have a property with
19 15 units and at any given time, one or two may be
20 available. So the protruding A frame stays there
21 perpetually and never comes down. And that's one
22 of the complaints that was articulated to me
23 through a couple of Center City residents
24 associations. So that's one of the issues that
25 needs to be fleshed you out if there is going to

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2 be a citywide removal of this ban.

3 But I would ask again to consider two
4 things: number one, what we do with Center City
5 and some of the signage, because that's where the
6 predominant complaint about this bill is coming
7 from; and whether or not the sale-pending issue
8 does get us around this issue.

9 MR. JOHNSTON: Gerri? I'm sorry. This
10 is Gerri Cooke, and she is the executive officer
11 of the Greater Philadelphia Association of
12 Realtors.

13 MS. COOKE: I guess I have a little
14 more history than Diane does.

15 Just stepping back a moment, we do have
16 and we did develop some language, and there was a
17 hearing, actually, on Bill 51 that went forward
18 with Happy Fernandez at one time, where we did
19 meet with the Center City residents group and
20 many, many other groups in the Center City area
21 and came to an agreement on signs. And at that
22 time, the -- it was -- the bill was introduced,
23 and I believe Zoning -- everybody was a part of
24 that meeting, but Zoning had a problem with the
25 wording of Bill 51 and said they needed to come

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2 back and work on it. And at that time, Center
3 City had said to us, the residents, that they had
4 no problem -- and this is exactly their wording:
5 they had no problem with our sold-sign issue going
6 through and supporting us on this issue as long as
7 their issue on Bill 51 went through.

8 But we were supportive of that and
9 would like to try to bring it back. We called a
10 meeting actually last year on it a couple times,
11 and the proper people didn't attend, so we are
12 still wanting to work on Bill 51 with them.

13 The sold-sign issue, rather than
14 pending, is something that our members throughout
15 the city have felt is a one-word change: it's
16 from "pending" to "sold." We have felt for many
17 years that our members have felt that it has been
18 prohibitive.

19 I do know of the one person that
20 contacted you on -- the one real-estate insurance
21 person. And there are some people that feel --
22 some of our smaller companies that feel that they
23 -- it's a competitive thing for them. They don't
24 want it to pass because they feel that if a larger
25 company has 65 sold signs and they only have 5,

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2 competitively, they're not in the market. That
3 has nothing to do with what we're talking about in
4 the sense of selling Philadelphia and making it a
5 viable neighborhood.

6 You know, we -- and we do work for -- I
7 mean, we're here to support our Realtors as well
8 as our community. But in this issue, we feel that
9 this is a community issue. We feel that it's
10 very, very vital and very important as we drive
11 around and look at signs in the City that we begin
12 to see "sold," that we begin to see that this city
13 is moving and not stagnant.

14 And I -- I'm not sure that I believe or
15 even agree with Lindsay that the "sale-pending"
16 sign has the same effect on someone that's riding
17 through a neighborhood as "sold" does. Coming
18 from an area that always has sold signs and
19 sale-pending signs, they do mean different things
20 to buyers. I mean, a Realtor might not think they
21 do, but I as a consumer, as I drive through -- and
22 I am not a Realtor so I look with different eyes
23 -- but as a consumer, it does mean something to
24 me. Sold means sold.

25 MR. JOHNSTON: I would agree with you

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2 because that is what -- when you see any
3 real-estate, commercial property that's -- or just
4 the basic understanding from the consumer's
5 vantage point, when you see a sold sign, if you're
6 in the 'burbs or whatever, you know what it means.
7 "Sale pending" is not the terminology that is
8 used. It all means -- it means the same thing
9 wherever you are, whether you're in Topeka, Kansas
10 or in Philadelphia. If that property's under
11 agreement, that real estate agent has a "sold"
12 sticker on that sign.

13 And I believe one of the -- one of the
14 points that we were discussing was about how you
15 can be maybe in Overbrook or Overbrook Farms and
16 you cross over City Line Avenue and all of a
17 sudden, your sale signs that you were seeing
18 before, now you're seeing sold signs, and the
19 perception is, Hey, this neighborhood is viable,
20 but in that other one, nothing was selling.

21 So to some extent, when you're -- and
22 this is a consumer -- a pro-consumer bill here.
23 And so if we're talking about what is the best
24 benefit to the consumer or the homeowner, I would
25 have to say that being able to say "sold," the

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2 strength of saying "sold," it's not passive, it's
3 more forceful.

4 MS. COOKE: When this bill was enacted
5 29 years ago, it had our support in its enactment.
6 Now, we have been to every agency that we can
7 conceivably think of to see if anybody has an
8 opposition to it, and we have seen none. Human
9 Relations, L&I, OHCD, City Planning -- I mean, we
10 have been everywhere, talking to everyone, because
11 we have wanted the input of everyone to see, Is
12 this something that we need to move forward with
13 or do we need to step back on it?

14 And we have not run into a brick wall,
15 except for the letter that I read this morning
16 from the Center City residents with anyone,
17 including -- last time we brought this issue up,
18 we had Realtors here with us. We have, as you can
19 see, several African-American Realtors in the
20 audience. They're all in agreeance (sic) that
21 this is something that we need to move forward
22 with. And that is the reason that the bill was
23 enacted in the first place.

24 COUNCIL PRESIDENT VERNA: Thank you.

25 Councilwoman Blackwell, your light is

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2 on. Do you want to be recognized?

3 COUNCILWOMAN BLACKWELL: Yes, Madam
4 President. Thank you very much.

5 I wanted to say that I support the
6 position of Lindsay Johnston and the Greater
7 Philadelphia Association of Realtors. And as you
8 might know, they are an integral part of the
9 economic development plan in University City and
10 in West Philadelphia. And, certainly, we are in
11 total support of them in their support of Bill No.
12 26.

13 I would also like to note that in the
14 audience is Larry Starkman, who is part of
15 Starkman & Sons, and they're also an integral part
16 of the pro-economic development project that's
17 going on in West Philadelphia. And he, too, is
18 here in support of this.

19 So, certainly, we would hope that the
20 committee would consider that we support this bill
21 and think it might be helpful in trying to move
22 forward our housing and economic development plan
23 in West Philadelphia.

24 Thank you, Madam President.

25 COUNCIL PRESIDENT VERNA: Thank you

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2 both very much.

3 (Applause.)

4 COUNCIL PRESIDENT Verna: Is there
5 anyone else in the audience that would like to
6 testify? Please approach the witness table.

7 (Jeff Boyer comes forward.)

8 COUNCIL PRESIDENT Verna: Good
9 morning. Please identify yourself for the record.

10 MR. BOYER: Good morning. My name is
11 Jeff Boyer. I'm a past president of the Greater
12 Philadelphia Association of Realtors, and I am a
13 real-estate broker from West Philadelphia.

14 It was during my term as president of
15 the Greater Philadelphia Association of Realtors
16 that this issue was first brought before City
17 Council. There are a couple of things that I
18 would like to kind of embellish upon that have
19 already been said.

20 The issue of the sign was -- the ban
21 was first enacted by an agreement between the
22 Realtors of Philadelphia and the Human Relations
23 Commission. Both organizations thought that it
24 would be a good thing as a way of resolving the
25 issue of block-busting that was prevalent back at

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2 that time. Since then, we have consulted with the
3 Human Relations Commission, and both organizations
4 agreed that now is the time to remove this.

5 The issue that Councilman Kenney
6 brought up about using the words "pending" or
7 other words to that effect, I've been in the
8 business since 1976, and I can remember in the
9 late '70s or early '80s, there were brokers in
10 Philadelphia who tried to get around the law of
11 sold signs by posting signs that said "gone," "too
12 late," things of that nature. And they were told
13 by L&I that that was not acceptable.

14 Now, if you're saying to me, or
15 Councilman Kenney's saying, that since the law
16 doesn't specifically prohibit using "gone" signs,
17 then fine, tomorrow morning, I'll have 30 "gone"
18 signs up in the City of Philadelphia, and I think
19 that the rest of my colleagues will also have
20 "gone" signs up all over the place.

21 But that doesn't address the issue of
22 people who are not familiar with Philadelphia and
23 the quirks of the real-estate market here. I do a
24 lot of transferees. I'm with a national franchise
25 organization, and we have people coming in from

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2 all over the country. I'm with Century 21 -- I
3 imagine most of you have heard of it. And the
4 reaction that I get from people who are coming in
5 from San Francisco, Steam Boat Springs, Colorado,
6 is that they have never heard of such a thing as
7 no sold signs. And my office is located in the
8 heart of West Philadelphia, and it's very easy for
9 people to go to Delaware County or to Montgomery
10 County from my location.

11 Frequently, I've talked to people
12 who've recently purchased homes in the suburbs,
13 you know, people I've met at parties or something,
14 and they say, Well, we never considered
15 Philadelphia. Well, why not? Well, aside from
16 some of the other problems, nobody's buying any
17 houses in Philadelphia. We went to Delaware
18 County, we drove through Philadelphia, and we saw
19 a mixture of homes where people were buying and
20 selling. We've been to New Jersey, we see people
21 buying and selling. But in Philadelphia,
22 everybody's trying to sell and nobody's buying.

23 And we're seeing, as Mr. Johnston said,
24 newspaper articles that say that we're losing
25 population. But by showing that people are

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2 willing to invest in Philadelphia by using a
3 "sold" sign, a recognized symbol that is a
4 nationally recognized symbol, that people are
5 investing in the community as well as selling, I
6 think it gives a more balanced picture of what's
7 going on realistically and can fly in the face of
8 some of the news reports -- that, yes, at least in
9 this area, people are investing.

10 Thank you very much for your time and
11 the opportunity to speak to you.

12 COUNCIL PRESIDENT VERNA: Thank you
13 very much.

14 (Ashley Andrus comes forward.)

15 COUNCIL PRESIDENT VERNA: Good morning.

16 MS. ANDRUS: Good morning, Madam
17 Chair. My name is Ashley Andrus. I'm director of
18 public policy for the Greater Philadelphia Chamber
19 of Commerce.

20 And I do have some testimony to submit
21 for the record, but I won't take any more of your
22 time, but I just wanted to let you know that the
23 Chamber does support the bill and shares the same
24 views that were expressed by the previous
25 witnesses.

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2 Thank you.

3 COUNCIL PRESIDENT Verna: Thank you
4 very much.

5 (Melani Lamond comes forward.)

6 COUNCIL PRESIDENT Verna: Good morning.

7 MS. LAMOND: Good morning. My name is
8 Melani Lamond. I'm a Realtor in University City,
9 and I'm also very active in different community
10 groups in the area.

11 And it's more my involvement with the
12 community groups that has brought me to a strong
13 awareness of this issue and how important it is to
14 my neighborhood and, I would have imagine, to
15 other neighborhoods too, that people realize that
16 there are people coming to the neighborhoods. And
17 it's from that point of view that I'm interested
18 in sold signs. It's just another task for our
19 office to have to get them up there. We're
20 selling properties without having them. It's not
21 that we need them to sell properties to people who
22 are already convinced that the city is a good
23 place, but there are a lot of people who aren't
24 convinced of that. And, as Mr. Johnston
25 mentioned, there have been a number of articles

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2 saying how many people the city has lost in the
3 last 10 years -- anywhere from 8 to 12 percent.

4 I hear from people in my neighborhoods
5 things like, Well, I saw that sign went down on
6 Springfield Avenue. Did they give up? They can't
7 imagine that it's sold because they didn't see a
8 sold sign, and no one knows that sold signs are
9 illegal on residential properties. They see them
10 on commercial properties where they're legal, and
11 they don't realize that they're not allowed on
12 residential properties. All they know is that
13 they never see them.

14 And people will say, Well, I better go
15 ahead and sell now because in a few years, it
16 might be completely hopeless since I never see
17 anything selling in the area. So they're leaving,
18 even when they didn't really want to go yet. Of
19 course, if they ask me these questions, I tell
20 them that the signs are illegal and that there's
21 no need for them to go or not buy or whatever.
22 But there are so many people who would not ask the
23 question.

24 And people's lack of knowledge about
25 the illegality of the signs is so complete that

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2 when I brought it up once to David Cohen, when he
3 was chief of staff and he was at a West
4 Philadelphia Chamber of Commerce meeting, he
5 didn't even know about it. When I mentioned it to
6 Mayor Rendell at a community meeting in West
7 Philadelphia, he didn't know about it, either. No
8 one knows that they're illegal.

9 And we have an opportunity here to give
10 free PR to the City of Philadelphia. It won't
11 cost the city a thing; the Realtors will take all
12 the costs and will let people know that people are
13 buying here and people are glad to come here.

14 Thank you.

15 COUNCIL PRESIDENT VERNA: Thank you
16 very much.

17 The Chair recognizes Councilman
18 Kenney.

19 COUNCILMAN KENNEY: Maybe those who
20 have an institutional memory of what happened in
21 the '70s could explain the process that some of
22 the unscrupulous people used the sold signs to do
23 block-busting. It's my understanding that the
24 sale sign never went up; the only thing that went
25 up was the sold sign. As opposed to what's being

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2 asked to do now is just to have an addition or an
3 addendum to an existing sales sign which shows
4 that it's sold.

5 My understanding was that during the
6 '70s, when this phenomenon was going on, Realtors
7 were just slapping sold signs up, that the house
8 was -- people didn't know it was going up for
9 sale, that the sold signs would just pop up on
10 every block, as opposed to having, for a period of
11 a period six months to a year, a sale sign and
12 then a sold sign slapped across it.

13 Is that accurate or no?

14 MR. JOHNSTON: That's -- that's -- from
15 the best of my understanding, although I wasn't
16 licensed back then, that's my understanding. And
17 sometimes those properties weren't even sold. It
18 was strictly -- it was a combination of taking of
19 a minority family, usually a black family, through
20 a neighborhood very visibly and then coming behind
21 and putting up sold signs -- a totally
22 unscrupulous practice. I mean, we brought this
23 upon ourselves. And it's also one of the reasons
24 why we supported the legislation to ban sold
25 signs.

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2 But -- and what would happen was,
3 they'd basically say, These people just bought
4 next door so you'd better put your house up for
5 sale 'cause it's going to be worth half as much a
6 year from now. Well, that was then and this is
7 now.

8 And not only -- we're still not in a
9 perfect society, but I can just tell you that
10 there are other pieces of legislation in place
11 that would not allow that activity to promulgate
12 itself at this point in time.

13 COUNCILMAN KENNEY: I would also
14 speculate that in traditionally mixed-ethnic and
15 -race neighborhoods and in predominantly
16 African-American, middle-class neighborhoods, this
17 issue of sold signs doesn't even apply. I mean,
18 if the concept of banning sold signs was to keep
19 unscrupulous Realtors from breaking up white
20 ethnic communities, I mean, if you have a
21 middle-class, predominantly African-American or
22 mixed-ethnic neighborhood, this isn't even an
23 issue anymore because, I mean, who are you chasing
24 out?

25 MR. JOHNSTON: It is not that issue,

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2 but it is still an issue in that --

3 COUNCILMAN KENNEY: No, I'm saying the
4 sold sign isn't an issue.

5 MR. JOHNSTON: Correct.

6 COUNCILMAN KENNEY: Because, I mean,
7 the neighborhood's stable, you know, no one's
8 trying to break that particular neighborhood's --
9 the blocks in that neighborhood, and that the
10 purpose of the '70s ban really doesn't apply to
11 many of our ethnically-diverse neighborhoods
12 today.

13 MR. JOHNSTON: I would agree with that
14 wholeheartedly.

15 COUNCIL PRESIDENT Verna: The Chair
16 recognizes Councilman Longstreth.

17 MR. JOHNSTON: Let me recognize Anne
18 Rubin -- oh, I'm sorry, Mr. Longstreth.

19 COUNCIL PRESIDENT Verna: The Chair
20 recognizes Councilman Longstreth.

21 COUNCILMAN LONGSTRETH: I think that I
22 am probably the only person now in the Council who
23 sat in on those meetings when I was in the Council
24 back about 30 years ago when this legislation was
25 passed which we seek to eliminate today. And

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2 there was every reason for having that legislation
3 at that time-- we're talking 30 years ago. And
4 you stated very correctly that the industry
5 brought it on themselves by some of the excesses
6 that were being practiced at that time.

7 But I think it becomes increasingly
8 evident, as we listen to the situation that's
9 existing today -- Philadelphia has probably
10 500,000 fewer people than we had then and there
11 are total changes in some of the racial mixes of
12 the various areas -- that this has outlived its
13 usefulness, and that this legislation should be
14 passed.

15 COUNCIL PRESIDENT VERNA: Thank you,
16 Councilman.

17 (Applause.)

18 (Anne Rubin comes forward.)

19 COUNCIL PRESIDENT VERNA: Good
20 morning. Please identify yourself for the record.

21 MS. RUBIN: Good morning. I'm Anne
22 Rubin. I'm president-elect of the Greater
23 Philadelphia Association of Realtors. I'm also
24 broker-owner of one of the six offices of Century
25 21 Lublin-Beck. We have offices both inside the

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2 city limits and in the counties.

3 And what I see here is that
4 Philadelphia is behind the rest of nation in our
5 business. We are the only municipality now that
6 is not allowing our business to advertise our
7 successes and to promote the movement in the
8 neighborhoods.

9 Percentage-wise, we're moving just as
10 many houses in the neighborhoods in Philadelphia
11 that I work in as we are in the suburbs, but it
12 doesn't appear that way. And when I take buyers
13 through and talk about the bordering areas, they
14 want to go into the counties for several reasons,
15 but one of which is that they believe that there
16 is growth there and appreciation there. And we,
17 in not being able to promote that we're doing
18 business and that properties are moving, are in
19 essence in some of our areas creating,
20 quote/unquote, panic selling, where there are
21 people that don't necessarily have to move out but
22 are just scared now because there are so many
23 homes up for sale in their area, and that if they
24 don't move now, they may not get the value for
25 their homes. They're not concerned with who's

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2 coming in but with what is their home going to be
3 worth if there's so many others for sale in the
4 neighborhood.

5 And it's -- all municipalities -- many
6 municipalities in our surrounding areas as well as
7 throughout the country have ordinances, have laws
8 about sizes of signs, how long, etc. We're not
9 opposed to that; we are very much in favor and
10 willing to discuss with everybody those kinds of
11 ordinances. But there is no other municipality
12 that has a ban on being able to say "sold," "sale
13 pending," "too late," "gone," or whatever words
14 the agent chooses to use to say that this is
15 successful.

16 So what we're asking for you to do
17 today is to move this out of committee and move
18 this forward and put us in line with all of our
19 neighboring communities and the communities
20 throughout our country and how our business is
21 conducted by allowing us to change one simple word
22 on a sign. And we very much want to talk and work
23 and move forward in a positive way with the Center
24 City residents associations on Bill 51.

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 (Larry Starkman comes forward.)

3 COUNCIL PRESIDENT Verna: Good morning.

4 MR. STARKMAN: Hi. I'm Larry Starkman,
5 from Starkman Real Estate. I wasn't going to come
6 up here but I thought it would important.

7 You know, all my friends and colleagues
8 here primarily do more residential sales. I seem
9 to do the majority of commercial and industrial
10 and land development sales in West Philadelphia
11 for the last 40 years; for the last 10 years, very
12 intensely.

13 And I've always been able to put up
14 sold signs. We spend a lot of money on signage,
15 my father and I. I believe -- and it's very
16 expensive. You know, these signs are \$300 to \$500
17 apiece, the V sign. And to stick up a sold tab
18 over it, they charge another \$30 just for labor,
19 just to put up a sold tab.

20 But I have to be honest, and
21 Councilwoman Blackwell was talking as well, that
22 just in West Philadelphia alone, outside of the
23 Penn campus, let's say, from 40th Street out to
24 63rd Street, from Woodland Avenue to City Line
25 Avenue, where I'm involved, without these sold

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2 signs that I'm putting up, the development in West
3 Philadelphia, I think, would have taken a lot
4 longer to get developed.

5 The signs go up on buildings that -- a
6 lot of times, these large distressed buildings,
7 these acres of land are located where a lot of
8 people would think, Well, who would ever want to
9 buy a building like that? And then we bring in a
10 buyer from another part of the United States or a
11 developer or Rite-Aid or CVS or Eckerd's or
12 McDonald's, people who would never even know that
13 anything existed in West Philadelphia, and then
14 I'm able to put up a sold sign after the
15 settlement.

16 And, you know, sometimes I keep up --
17 you know, get kidded by Lindsay -- Lindsay and I
18 work together. You know, I keep up the sold signs
19 for months, until the new owners tell me to take
20 it down. And I do it for a reason -- not for ego,
21 but it shows the community what's happening in
22 West Philadelphia, in University City. And
23 business has been booming there like crazy
24 commercially. And I attribute it to -- I really
25 do -- a lot of it, to being able to put up sold

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2 signs.

3 Developers are coming into West
4 Philadelphia all the time from all over the
5 country. And I get more calls from signs that I
6 have sold tabs on than from -- it's better than
7 any newsprint. And the sellers and the owners of
8 all these properties now feel the properties are
9 valuable. Politically, it's been wonderful. It
10 just helps create jobs, and it's a whole
11 psychological part of the sign that I've been
12 very, very interested in. And I just thought you
13 should consider that.

14 Thank you.

15 COUNCIL PRESIDENT Verna: Thank you
16 very much.

17 Is there anyone else to testify on this
18 bill?

19 (Deborah McColloch comes forward.)

20 COUNCIL PRESIDENT Verna: Good morning.

21 MS. MCCOLLOCH: Good morning. My name
22 is Deborah McColloch, and I am the deputy director
23 of the Office of Housing and Community
24 Development, and I'm here today in support of Bill
25 No. 26.

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2 OHCD has engaged in a variety of
3 neighborhood revitalization efforts throughout
4 low- and moderate-income neighborhoods in the
5 city, including the very successful Settlement
6 Grant Program, which recently awarded a settlement
7 grant to its 10,000th first-time buyer.

8 The signs bill, as proposed, will
9 demonstrate the strength of neighborhood
10 real-estate markets and support OHCD's home
11 ownership programs. I urge its adoption.

12 COUNCIL PRESIDENT Verna: Thank you
13 very much.

14 (Applause.)

15 COUNCIL PRESIDENT Verna: Do we have
16 anyone else to testify on this bill?

17 (No response.)

18 COUNCIL PRESIDENT Verna: The Chair
19 recognizes Councilman Kenney.

20 COUNCILMAN KENNEY: Thank you, Madam
21 Chairperson.

22 I think you know that I'm committed to
23 getting this bill done. We've been at it now for
24 a couple of years now, and we have until December
25 16th, which is our final day before the end of the

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2 term, for final passage, which means we have a
3 reasonable amount of time to try to work through
4 some of the issues that affect some of the people
5 that were complaining about it in a letter.

6 We don't have enough votes here today
7 to get this bill out of committee. But what I
8 would like to do is to arrange a meeting for next
9 week, or as early as possible, for us to sit down
10 with some of those who have some concerns that may
11 be founded, may be unfounded, and then try to come
12 to some conclusion and move this forward with a
13 commitment to trying to get it done before the
14 term is over, rather than having to go through
15 this again in a new term with some members of
16 Council who may not -- you know, who may be
17 different than what we have here today. I would
18 rather have unanimity on this issue, or close to
19 unanimity, than I would having, you know, a very
20 close 9-to-7 vote on this thing.

21 So what I would like to do is call you
22 today or tomorrow and arrange something for
23 sometime next week so that we can sit down with
24 the District Council people who represent Center
25 City -- Councilmember DiCicco and Councilmember

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2 Clarke and Council President Verna, who has a
3 portion of Center City -- and try to work this
4 through so that when we come back again, it will
5 be, hopefully, a fait accomplis or a formality,
6 and that we'll be passing something out of
7 committee -- rather than taking a chance and
8 putting it out today and then having people who
9 misunderstand the purpose of the bill begin to
10 lobby Councilmembers to be against it and wind up
11 with a vote that's very close or a loser.

12 So that commitment is to schedule that
13 meeting sometime today or tomorrow and then go
14 through it and come back here again. I think it's
15 the best way to do it, and hopefully, we can get
16 it done with a 16-to-nothing vote.

17 COUNCIL PRESIDENT VERNA: I would
18 concur with the statements made by Councilman
19 Kenney. And as Chairperson of this committee, I
20 certainly would make my commitment to you that
21 once we have ironed out the differences with the
22 Center City residents and anybody else who may
23 have concerns, that we will list it for a prompt
24 hearing so that we will be able to pass this,
25 hopefully, by the end of the term.

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2 Thank you all very much for attending
3 and for your patience. Thank you.

4 MR. JOHNSTON: Thank you for your time.

5 (Adjourned at 11:00 a.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of Wednesday, September 29, 1999,
were reported fully and accurately by me, and that
this is a correct transcript of same.

RE: COUNCIL COMMITTEE ON RULES
BILL NO. 960064

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter