



at home

SEPTEMBER 2019

EVICTIION PREVENTION & RESPONSE

PROGRESS REPORT

OFFICE OF COMMUNITY
EMPOWERMENT AND
OPPORTUNITY





LETTER FROM THE COCHAIRS OF THE HOUSING SECURITY WORKING GROUP

Philadelphia is a city on the rise. Our population and economy are blossoming, yet this growth may come at a price. The city's housing stock and renters' wages have struggled to keep pace with the demands of neighborhood change. Two years ago, local and national data confirmed what many Philadelphia renters have long known to be true:

**when affordable units and living wages
are scarce, eviction often follows.**

In 2017, 20,165 Philadelphia households received an eviction filing. African American neighborhoods were hardest hit.

The data showed that eviction is both an economic and racial justice issue, requiring us to redouble our commitment to addressing it. Too often, connections among race, place, power, and poverty affect housing outcomes. Access to opportunity is spatially and racially differentiated, granting higher income, whiter neighborhoods privileged access to amenities for social inclusion and upward mobility.¹ Conversely, in lower income, neighborhoods of color, households are often overcharged relative to the market values of the properties that they occupy,² evicted from their homes due to nonpayment of rent, and forced to resign themselves to units and blocks of last resort.³

Market dynamics and systemic inequities prevent low-income, households of color from unlocking the power of place. Since 2015, this understanding has guided the Office of Community Empowerment and Opportunity's Housing Security Working Group. In 2017, we brought it to bear in Mayor Jim F. Kenney's Taskforce on Eviction Prevention and Response.

With the Housing Security Working Group as its core membership base, the Mayor's Taskforce completed a year-long term of factfinding and consensus building on eviction in Philadelphia. When the Mayor's Taskforce delivered a concluding report in 2018, the Housing Security Working Group assembled action teams to implement several of the report's recommendations.

The action teams are off to a productive, collaborative start. The Expanding Legal Representation team has marshalled support for tenants' right to counsel, solidifying it as a citywide policy priority. The Pre-Filing Mediation team has mounted a pilot program to resolve landlord-tenant disputes before they escalate to court filings. The Illegal Eviction team is working hand-in-glove with the Police Department to retool Philadelphia's response to illegal, "self-help" eviction, beginning with officer training and data collection. The Sheriff's Sales team has crafted robust proposals to improve outcomes for tenants residing in properties in foreclosure. The Public Education team has produced foundational materials and events to establish a shared understanding of the rules that govern tenancy in our city and resources that can assist both landlords and tenants.

We have been impressed by the insights and ingenuity of the social and private sector stakeholders who comprise our shared table. The Housing Security Working Group's action teams are proven coalitions of the willing, capable of advancing housing equity with limited resources.

This report details our work together, provides the latest data on Philadelphia's eviction crisis, and charts a course for the year to come. It demonstrates how Philadelphia's collective action has laid the foundation for systems change that favors long-term, stable tenancies. Despite the power imbalances in Philadelphia's housing market, eviction filings are trending downward. In 2018, 18,584 households received an eviction filing, a seven percent reduction from the previous year.

As native Philadelphians, we are certain that Philadelphia can reach its full potential only if it makes room for all. Join us as we continue to rethink eviction, create alternatives, and ultimately actualize our vision for an inclusive Philadelphia. We are making progress.

Sincerely,

Mitchell Little

Executive Director, Office of Community Empowerment & Opportunity

Rasheedah Phillips

Housing Security Working Group Cochair, 2018-2019

ABOUT THE HOUSING SECURITY WORKING GROUP

HISTORY

The Office of Community Empowerment and Opportunity (CEO) launched the Housing Security Working Group in 2015 to facilitate housing initiatives under *Shared Prosperity Philadelphia*, CEO's collective impact anti-poverty plan. In its early years, the Working Group convened leaders to move the needle for Philadelphia's most vulnerable renters. Since 2018, the Working Group has led the implementation of Philadelphia's anti-eviction campaign.

WHAT WE DO

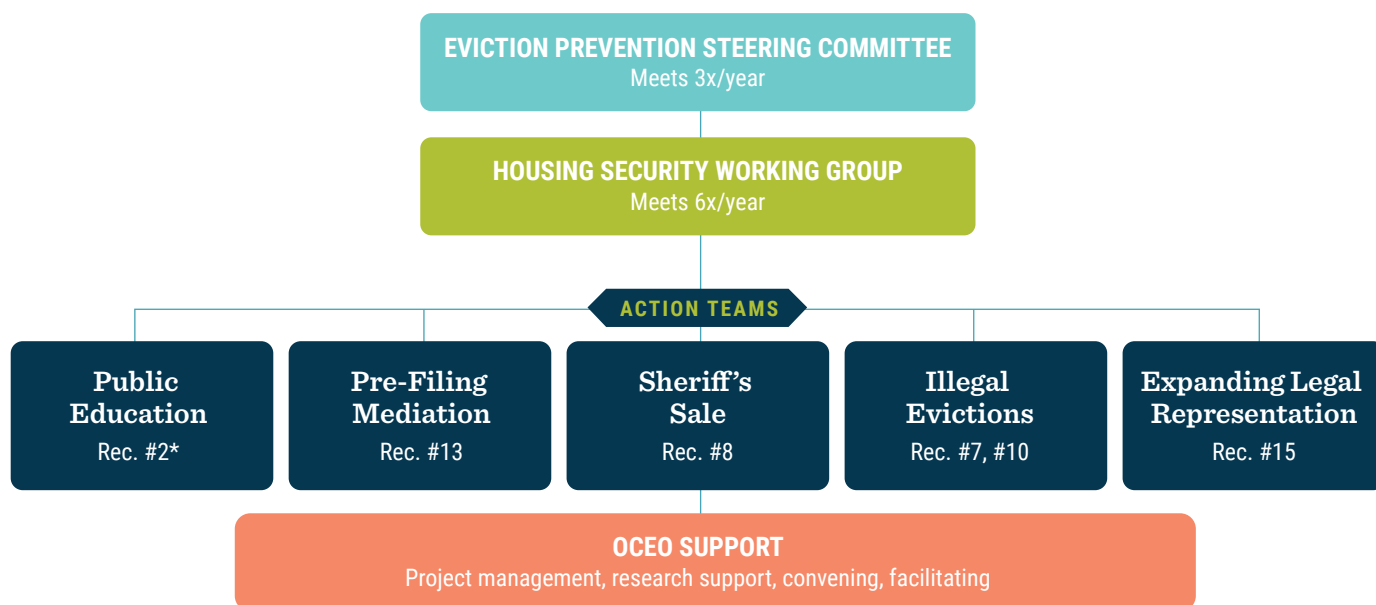
The Housing Security Working Group's member organizations design, implement, and advocate for practice, programmatic, and policy changes that can reduce eviction in Philadelphia. With CEO's support, the organizations regularly join forces to share updates from the field, co-conceive activities and interventions, support policy research and implementation, and leverage their resources and connections.

MISSION

The Housing Security Working Group strives to collectively advance changes to systems, policies, and programs to prevent evictions and ameliorate the effects of evictions for Philadelphia residents. The Working Group prioritizes residents (both landlords and tenants) living below the poverty line, especially those in substandard housing.

WHO WE ARE

The Housing Security Working Group's organizational structure includes a Steering Committee of decision makers who offer oversight and counsel, five issue-based action teams that implement the Working Group's initiatives, CEO staff who act as the Working Group's backbone, and general members who plug into the Working Group as needed.



* The recommendations referenced in this document are from the final report of the Mayor's Taskforce on Eviction Prevention and Response (June, 2018).



WORKING TOGETHER

The Office of Community Empowerment and Opportunity thanks the myriad individuals and organizations that power the Housing Security Working Group. Without their insights and ingenuity, our progress would not be possible.

- ACHIEVEability
- AIDS Law Project
- Centennial Parkside CDC
- Cohen Marraccini LLC
- Community Legal Services of Philadelphia
- Dechert LLP
- Fair Housing Rights Center
- Federal Reserve Bank of Philadelphia
- HAPCO
- HELP-MLP
- Interfaith Hospitality Network
- Legal Clinic for the Disabled
- Liberty Resources
- National Nurse-Led Care Consortium
- Pennsylvania Apartment Association-East
- Philadelphia Bar Association
- Philadelphia Housing Authority
- Philadelphia Legal Assistance
- Public Interest Law Center
- Regional Housing Legal Services
- Reinvestment Fund
- Senior Law Center
- Shift Capital
- TURN
- UESF
- Whose Your Landlord
- Witnesses to Hunger

City of Philadelphia

- Department of Licenses & Inspections
- Department of Planning & Development
- Division of Housing and Community Development
- Fair Housing Commission
- Law Department
- Managing Director's Office
- Office of Homeless Services
- Philadelphia City Council
- Police Department

YEAR IN REVIEW

The Mayor's Taskforce on Eviction Prevention and Response completed its term just one year ago. Since then, a cadre of cross-sector actors—landlords, tenants, attorneys, nonprofits leaders, and City officials—have aligned behind the recommendations' vision for citywide housing security. We are accelerating the pace of change by sharing leadership and coming together to pursue emerging opportunities.

BUILDING MOMENTUM.

Our partners have inaugurated campaigns for the year to come, mobilizing supporters through social action and community engagement. Inspired by studies showing that access to justice promotes improved outcomes for vulnerable renters and produces public sector cost savings, Community Legal Services put tenants' right to counsel on the map in Philadelphia. Their community meetings and briefings with decision makers have raised awareness and public will on this issue. The Public Interest Law Center of Philadelphia has spent the year amassing support for eviction record sealing legislation, which would protect tenants' privacy and remedy their housing search prospects.

RUNNING THE NUMBERS.

Philadelphia's research community has worked to better understand the causes and consequences of eviction in Philadelphia, unveiling unforeseen dynamics in the local housing market. The Reinvestment Fund launched the Philadelphia Evictions Research Project to use administrative data, observation, and interviews to produce actionable knowledge for Philadelphia's anti-eviction work. The Police Advisory Commission conducted a thorough investigation of the Philadelphia Police Department's response to illegal, "self-help" eviction. Leaders at the Police Department accepted the investigation's findings and have agreed to collaborate with the Advisory Commission to implement its recommendations.

SERVING THE PEOPLE.

Making progress on eviction in Philadelphia would be impossible without well-targeted direct services tethered to the needs of landlords and tenants. Coordinated by Community Legal Services, the Philadelphia Eviction Prevention Project served over 2,500 tenants in 2018. The Division of Housing and Community Development incorporated eviction prevention into its 2019 Neighborhood Advisory Committee service briefings. Trainers from TURN and Community Legal Services presented on tenants' rights before audiences in Tioga, North Philadelphia, Hunting Park, Fairhill, and Germantown. CEO's landlord training series will commence in fall 2019.

2018

JUNE

— Mayor's Taskforce on Eviction Prevention and Response submits its final report and recommendations

— CEO and its partners begin planning for the implementation of the Mayor's Taskforce recommendations

JULY

— Philadelphia Eviction Prevention Project publishes the "Philly Tenant Resource Guide"

— CEO hosts a roundtable discussion with a representative from the Princeton University Eviction Lab

AUGUST

— Public Interest Law Center launches a statewide eviction record sealing working group

SEPTEMBER

— CEO reconvenes the Housing Security Working Group to implement select recommendations from the Mayor's Taskforce report

— Department of Planning and Development publishes Housing for Equity, Philadelphia's ten-year housing action plan, and incorporates several eviction prevention initiatives

OCTOBER

— Reinvestment Fund establishes an eviction research project and corresponding Evictions Research Advisory Group

NOVEMBER

— Stout Risius Ross issues "Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants"

2019

JANUARY

— Twenty seven City Council candidates indicate in a Reclaim Philadelphia survey that they support tenants' right to counsel

— Philadelphia City Council passes the good cause eviction law

FEBRUARY

— CEO and its partners develop a proposal for a citywide pre-filing mediation program

— Police Advisory Commission releases "An Investigation of the PPD Response to Self-Help Evictions"

— CEO, CLS, and the Philadelphia Bar Association host a roundtable discussion on the Stout Risius Ross report

MARCH

— Philadelphia City Council introduces a series of bills to promote housing stability and affordability including a proposal for a Low-Income Tenant Legal Defense Fund

APRIL

— Fair Housing Commission begins enforcing the good cause eviction law

— Philadelphia Redevelopment Authority solicits proposals to operate a Small Landlord Loan Program

MAY

— Division of Housing and Community Development (DHCD) works with CEO, Community Legal Services and TURN to host eviction prevention briefings in Tioga and North Philadelphia

— Mayor Kenney joins advocates to denounces HB71, a Pennsylvania State House bill to shorten the eviction process

JUNE

— DHCD continues its eviction prevention briefing series in Germantown and Fairhill

— Police Advisory Commission revises the Police Department's Tenant Referral Notice, a social services palm card for households experiencing illegal eviction

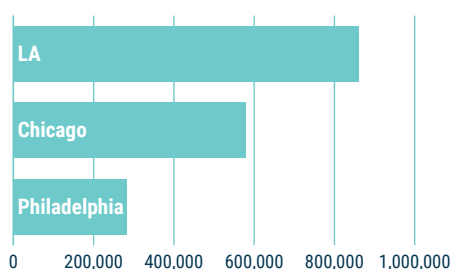
STATE OF EVICTION IN PHILADELPHIA

Experts have dubbed eviction a “hidden housing problem,” one that was long overlooked as housing stakeholders prioritized expanding access to homeownership over ameliorating tenant displacement.⁴ With the publication of *Evicted*, research by the Reinvestment Fund, City Council hearings, and the formation of the Mayor’s Taskforce on Eviction Prevention and Response, the tide has turned locally.⁵ Philadelphia’s researchers are developing new indicators and uncovering new phenomena to inform programmatic and policy change in the rental housing market. Here is what the latest data can tell us about Philadelphia’s eviction crisis.

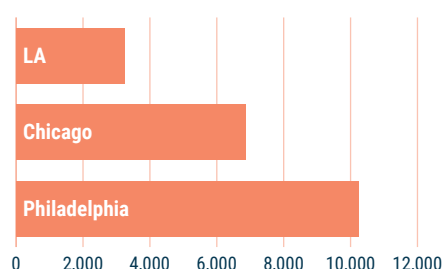
Eviction filings have decreased for the fourth year in a row, but Philadelphia still maintains the fourth highest number of eviction judgments among the nation’s 100 largest cities.

Philadelphia Municipal Court processed 18,584 filings in 2018, down from 23,602 in 2014.⁶ While the downward trend is encouraging, Eviction Lab data show that Philadelphia still maintains the fourth highest number of eviction judgments among the nation’s large cities.⁷ Philadelphia, a city of 1.5 million people, saw 10,264 eviction judgments in 2016; Chicago, a city of 2.7 million people, saw just 6,877 eviction judgments that year.

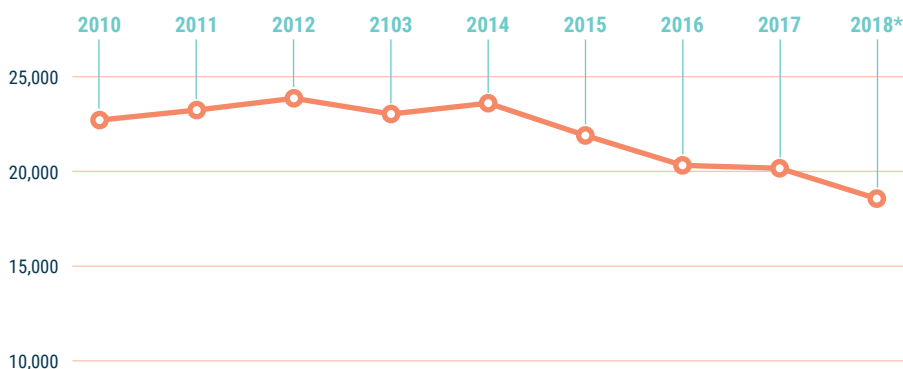
NUMBER OF RENTER-OCCUPIED HOUSING UNITS 2017 ACS 5-Yr Estimates



NUMBER OF EVICTION JUDGMENTS 2016 Eviction Lab



EVICTION FILINGS IN PHILADELPHIA, 2010–2018 Reinvestment Fund



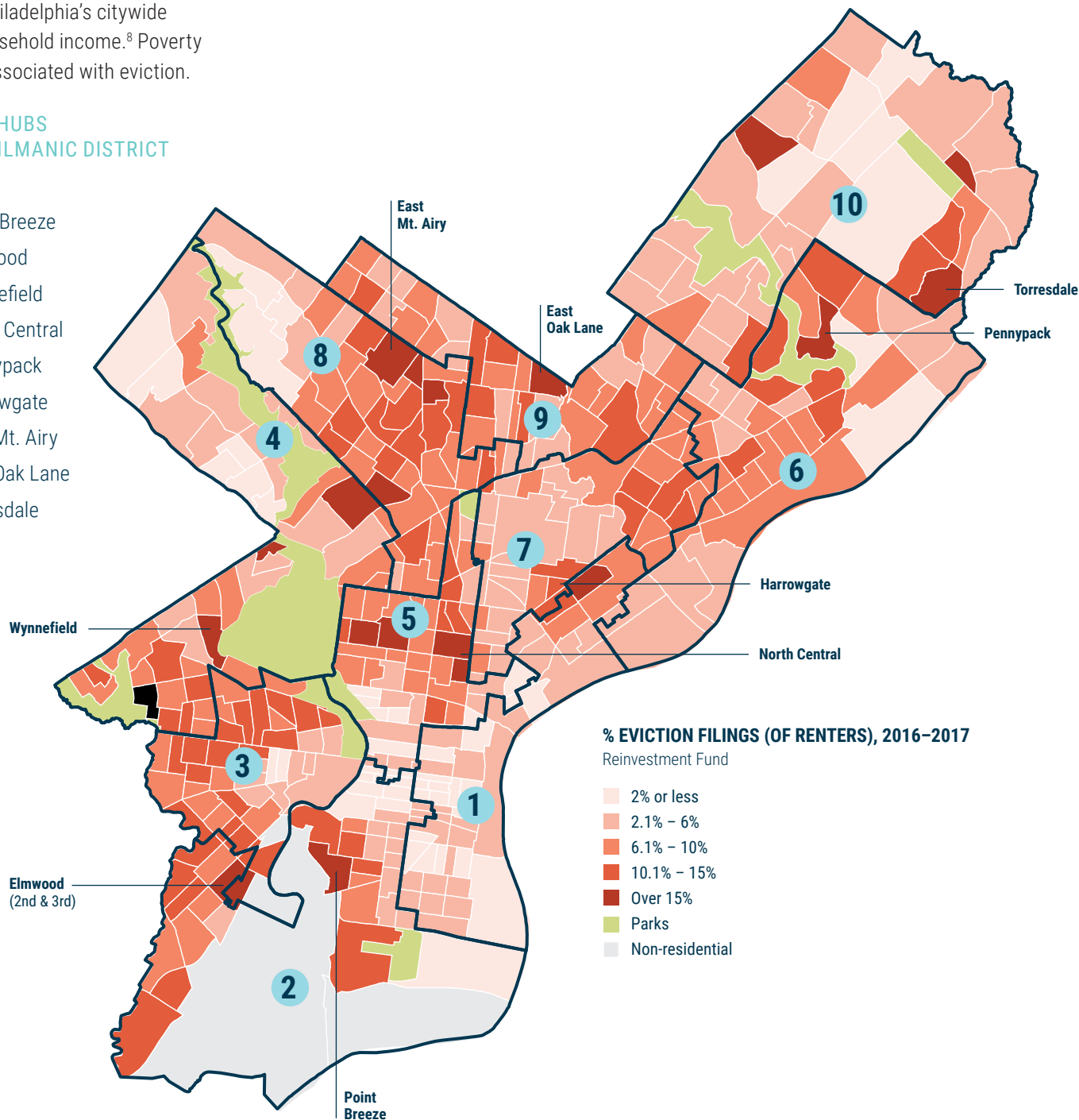
* Preliminary projection based on 2018 Q1-Q3 filings

Most councilmanic districts feature a concentrated area where over 15% of renters experienced an eviction filing.

These tend to be areas where the median household income is below \$40,649, Philadelphia's citywide median household income.⁸ Poverty is closely associated with eviction.

EVICTON HUBS BY COUNCILMANIC DISTRICT

- 1 N/A
- 2 Point Breeze
- 3 Elmwood
- 4 Wynnefield
- 5 North Central
- 6 Pennypack
- 7 Harrowgate
- 8 East Mt. Airy
- 9 East Oak Lane
- 10 Torresdale

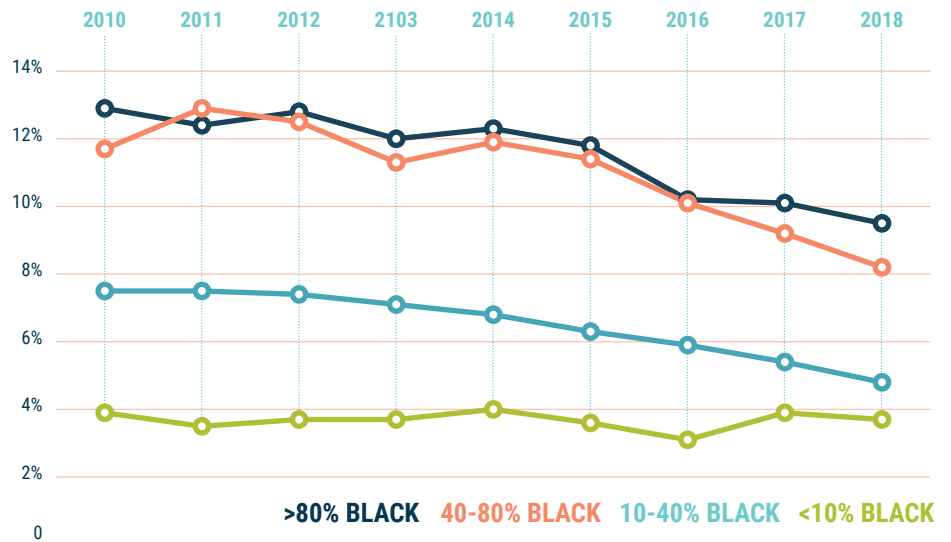


Philadelphia's housing outcomes are marked by racial disproportionality and disparity.

EVICTIION FILINGS.

Neighborhoods with larger black populations face higher eviction filing rates. In 2018, neighborhoods where less than 10% of residents are black had a 3.7% eviction filing rate. Neighborhoods where over 80% of the residents are black had more than twice as many evictions. Their eviction filing rate in 2018 was 9.5%.

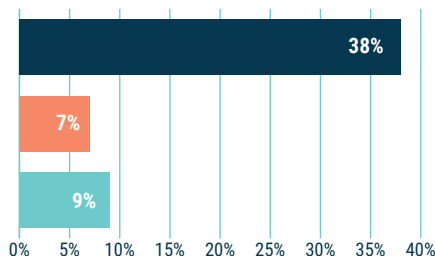
ESTIMATED EVICTION FILINGS BY NEIGHBORHOOD RACE, 2010–2018 Reinvestment Fund



SERVICE UTILIZATIONS.

The Hispanic population has the highest poverty rate among the city's racial/ethnic groups (38%) yet in 2018, only 7% of the city's Housing Choice Voucher holders were Hispanic and only 9% of the city's emergency shelter users were Hispanic.⁹

POVERTY RATE COMPARED TO SERVICE USE: HISPANIC POPULATION, 2018



Poverty Rate

Voucher Use

Emergency Shelter Use

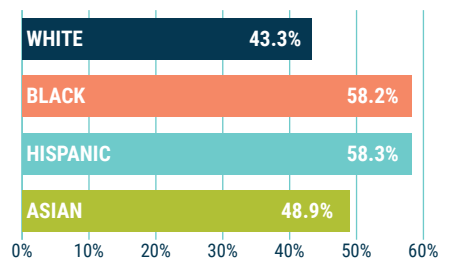
HOUSING QUALITY.

In the Philadelphia metropolitan area, housing quality issues are more common among black and Hispanic populations than they are among the white population.¹⁰ Twice as many black households had mold in their homes than did whites in 2017. Five times as many black and Hispanic households had inadequate heating than did whites in 2017.

RENT BURDEN.

The Philadelphia metro's black and Hispanic households face higher rates of rent burden.¹¹

RENTER COST BURDEN, 2017

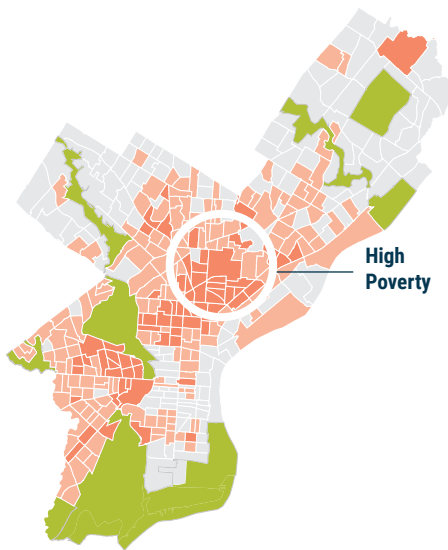


Low-income populations and unlicensed rental units predominate in Eastern North Philadelphia, yet there are few eviction filings there.

The confluence of poverty, rent burden, and limited adherence to City licensing procedures have yielded a puzzling dynamic in Eastern North Philadelphia. Despite residents' compounded disadvantage, Eastern North Philadelphia has one of Philadelphia's lowest eviction filing rates. No more than 7% of eastern North Philadelphia residents received an eviction filing in 2016.¹²

POVERTY AND HIGH-POVERTY AREAS IN PHILADELPHIA

- High-poverty areas (40% or more below poverty line)
- Poverty areas (20% or more below poverty line)
- Non-residential tracts



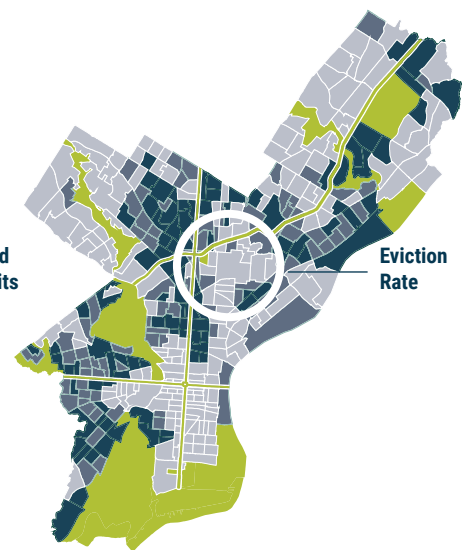
UNLICENSED RENTAL UNITS, 2018 BY CENSUS TRACT

- 0%-25%
- 26%-50%
- 51%-88%
- Non-residential tracts



EVICTON RATE, 2016 BY CENSUS TRACT

- 0%-7%
- 8%-10%
- 11%-82%
- Non-residential tracts



Legal representation reduces disruptive displacement among tenants.

Housing cases in Philadelphia are marked by a lack of procedural fairness. Without counsel, tenants face power imbalances that limit their ability to fully participate in court and claim the protections that are due to them.¹³ With counsel, tenants can better navigate the court's strictures.

Between 2007 and 2016, represented tenants with judgments by agreement (orders to return possession of their units to their landlords) were given 50 days to relocate. Unrepresented tenants were given just 35 days to relocate.¹⁴

A cost-benefit analysis commissioned by the Philadelphia Bar Association and conducted by Stout Risius Ross showed that a \$3.5 million investment in tenant representation for low-income renters with eviction proceedings could yield dividends for the City in the long run by reducing costs incurred for shelter and other emergency services.

CORE METRICS

METRIC	2017	2018	PERCENT CHANGE
1. Eviction filing rate	7.8%	7.0%	-10.8%
2. Eviction execution rate	3.5%	3.2%	-9.9%
3. Total number of judgments	16,948	14,719	-13.2%
4. Number of judgments by agreement entered into	8,186	7,098	-13.3%
5. Number of alias writs of possession filed	7,999	7,359	-8.0%
6. Number of alias writs of possession served	5,625	5,112	-9.1%
	2016	2018	PERCENT CHANGE
7. Number of calls received by the Tenant Referral Helpline	1,046	2,543	143.1%

SPOTLIGHT: ILLEGAL EVICTION

The Police Advisory Commission's (PAC) [report on Self-Help Evictions](#) outlines the Philadelphia Police Department's role in responding to Philadelphia's eviction crisis, as documented in the [Mayor's Taskforce on Eviction Prevention and Response: Report and Recommendations](#). The Illegal Evictions Action Team utilized the PAC's report as the guiding tool for evaluating the implementation of recommendations suggested to close gaps in learning and service within the Philadelphia Police Department's response to illegal evictions.

For the report, the PAC engaged subject matter experts, solicited several informal interviews of officers, and was involved in resolving an illegal eviction on the scene as it was occurring. Through these sources of information, the PAC discovered that the common theme as it related to the PPD's response to illegal evictions is that often the response by officers (at all ranks) was inconsistent with PPD Directive 3.17: Prohibition Against Self-Help Eviction Practices.

Although this directive provided officers with clarity regarding how to identify and remedy an illegal "self-help" eviction, implementation was inconsistent, and many officers seemed wholly unaware the directive existed at all. Upon submission of the PAC report to PPD in December 2018, there was an immediate memo issued via email to all PPD personnel highlighting Directive 3.17.



Of the PAC recommendations accepted by former PPD Commissioner Richard Ross in February 2019, there has been significant progress in implementation:

New Messaging Tools and Procedures

The Philadelphia Police Department has partnered with Community Legal Services (CLS) to develop a video highlighting an ideal PPD response to Self Help Evictions. This video will be played during roll call, uploaded to PPD social media accounts, and shared with community partners. The PPD has also added Directive 3.17 as a priority discussion at roll call at least once per month for each police district. Finally, PPD leadership have developed 3 messages that dispatch reads over the radio to remind officers of Directive 3.17.

Officer Training

CLS and PPD leadership have collaborated to develop and facilitate a training curriculum for PPD Captains, Lieutenants, and Community Relations Officers that highlights how to identify a Self-Help Eviction (PPD Directive 3.17) and Theft of Residential Property (PPD Directive 5.31). The training also utilizes case studies to highlight the downstream consequences when Directive 3.17 is not followed appropriately.

Data Collection and Tracking

PPD has identified a new code to capture all Self-Help Evictions that officers are dispatched to. While much of the current available data reflects legal evictions filed in the Philadelphia Municipal Court, the development of a new code specifically tracking Self Help Evictions will begin to develop useful and necessary citywide data.

ENFORCEMENT

In addition to educating police officers and the general public, the Illegal Evictions Action Team seeks to increase accountability for landlords who evict without going through the legal process. Actions to increase landlord accountability may include:

- » seeking options for tenants to file private criminal complaints against landlords who have engaged in self-help eviction practices;
- » discussing options to streamline the pathway from the scene of an illegal eviction to a hearing on summary offense charges; and
- » working to identify collateral crimes committed during an illegal eviction—such as theft or assault—and greater enforcement for repeated illegal evictions through failure to disperse or disorderly conduct charges.

ACTION TEAM UPDATES

Philadelphia's anti-eviction campaign is organizing for change despite resource limitations and the formidable inequities in the housing market. After the Mayor's Taskforce formulated 17 recommendations for promoting long-term, stable tenancies, the Housing Security Working Group selected five for immediate action. These strategies are dominoes: once successful, they stand to catalyze enduring, substantial improvements.



EXPANDING LEGAL REPRESENTATION

RECOMMENDATION

Increase legal representation for low-income tenants by expanding resources for legal aid organizations and recruiting volunteer attorneys.

MEMBERS

Cohen Marraccini LLC, Community Legal Services, Dechert LLP, Legal Clinic for the Disabled, Public Interest Law Center, Regional Housing Legal Services, Senior Law Center, TURN

ACCOMPLISHMENTS

- » Hosted a public forum and private briefings on the Stout Risius Ross cost-benefit analysis.
- » Drafted right to counsel legislation.
- » Consulted with New York City activists on best practices for access to justice organizing.

MOVING FORWARD

- » Identify additional funding for the Philadelphia Eviction Prevention Project.
- » Analyze the implementation of the good cause eviction bill.
- » Partner with Municipal Court stakeholders to refine court processes.

While designed to operate as efficient purveyors of justice, housing courts are often marked by a serious inequity: the power imbalance between landlords and tenants due to tenants' limited access to justice. In Philadelphia housing cases, over 80% of landlords are represented, while fewer than 10% of renters are. This hinders tenants' abilities to fully participate in legal hearings by presenting their stories and claiming the rights and protections that are due to them.

Expanding access to legal representation is a simple fix for the court's asymmetries. Local data show that legal representation is linked to improved tenant outcomes. More eviction prevention legal assistance could mean fewer evictions and thus fewer disruptions in school and work, shelter stays, and instances of material hardship.

Legal representation also partners tenants with attorneys who act as advocates, translators, and sounding boards. More eviction prevention legal assistance can help court-involved renters feel seen and be heard in court, instilling a sense of dignity and redressing power imbalances.

The Expanding Legal Representation action team has spent the year building a citywide movement for tenants' right to counsel. At their meetings, briefings, and events, a diversity of Philadelphians learned, provided input, and collaborated on a vision for institutionalizing justice. The action team's work continues in year two, when they will engage in efforts to expand funding support for both the Philadelphia Eviction Prevention Project and a low-income legal defense fund.



ILLEGAL EVICTION

RECOMMENDATION

Explore creative strategies for tracking data on illegal evictions and strengthening enforcement of current laws prohibiting illegal evictions, including the issuance of citations and submission of incident reports.

MEMBERS

Community Legal Services, Philadelphia District Attorney's Office, Philadelphia Legal Assistance, Philadelphia Police Advisory Commission, Philadelphia Police Department, Philadelphia Tenants Union, TURN

ACCOMPLISHMENTS

- » Investigated the Philadelphia Police Department's response to illegal or "self-help" evictions.
- » Convened cross-sector leaders to collaborate on process improvements.

- » Reviewed and utilized the Police Advisory Commission report for recommendations to close gaps in learning and service within the Philadelphia Police Department's response to illegal evictions.
- » Developed new Tenant Referral Notice, with information for tenants, landlords and police officers about illegal evictions and referrals.
- » Drafted training video script for both officers and members of the public.
- » Developed briefing materials for police officers, including a roll call announcement and a radio quip.

MOVING FORWARD

- » Complete illegal eviction video and share on PhillyTenant.org, PPD website and social media.
- » Implement training series for Philadelphia Police officers including community relations officers and sergeants.
- » Train officers to begin using new PPD code for illegal eviction offenses.
- » Explore increased enforcement through the District Attorney's office.

While Philadelphia's eviction numbers have been trending downward for the past few years, advocates indicate that sizable shares of the city's evictions are unreported. These are "self-help" or illegal evictions, occurrences when landlords instigate forced moves by extralegally changing locks, shutting off utilities, removing tenants' possessions, or refusing maintenance requests. Tenants experiencing illegal eviction often feel invisible to City actors. Until recently, the Philadelphia Police Department and the Philadelphia District Attorney's Office had yet to intervene at the intersection of economic crime and housing instability. Even first responders, the Police Department's patrol officers, felt underprepared to support tenants in crisis.

With the publication of the Police Advisory Commission's 2019 self-help eviction report and the Police Department's endorsement, the Illegal Eviction action team has begun crafting a coordinated, community response to illegal eviction. While the Illegal Eviction action team officially launched in March of this year, it has already succeeded in bringing key institutions and decision makers together and articulating a bold agenda for the year to come. They plan to streamline the Police Department's collection of illegal eviction data, optimize the Police Department's response to illegal eviction calls, and provide a credible deterrent to property managers and owners who force tenants from their homes.



PRE-FILING MEDIATION

RECOMMENDATION

Implement new opportunities for mediation between tenants and landlords.

MEMBERS

AIDS Law Project, Community Legal Services, Fair Housing Commission, Fair Housing Rights Center, Legal Clinic for the Disabled, Office of Community Empowerment & Opportunity, Office of Homeless Services, Pennsylvania Apartment Association, Public Interest Law Center, UESF

ACCOMPLISHMENTS

- » Consulted with national experts and local stakeholders to design a model pre-filing mediation program.
- » Secured grant funds to pilot the model pre-filing mediation program.

MOVING FORWARD

- » Evaluate the model pre-filing mediation program.
- » Launch mediation pilots within the Office of Homeless Services and the Fair Housing Commission.
- » Explore strategies to incorporate landlord-tenant mediation as a requirement for housing developments funded by the City of Philadelphia.

Philadelphia's landlords and tenants agree that eviction should be a course of last resort. Evictions encumber landlords with steep legal costs, court filing fees, and unit turnover costs. They threaten tenants with dislocation and cascading failure at home, school, and work. Without eviction alternatives, landlords and tenants lack options for finding common ground without involving the court.

Pre-filing mediation is a promising practice for relieving pressure on both sides. It offers forums for reaching mutually agreeable settlements with the support of a neutral third party. Since mediation does not require court formalities, it fosters full discussions and empowers participants to conceive collaborative, tailored solutions. Mediation is often paired with emergency rental assistance, so it reduces the impulse to use the court system as a debt collection tool. Designed to strengthen relationships, mediation is a promising option for reaching shared resolution in landlord-tenant disputes.

The Housing Security Working Group has spent the past year devising a strategy to leverage local assets and expand access to pre-filing landlord-tenant mediation programs. The Working Group sought counsel from jurisdictions with best practice mediation programs and mined its members' expertise and connections to plan a pilot program. The pilot will launch in September 2019 with a \$10,000 Community Challenge Grant from AARP.

Throughout the pilot period, CEO will collect process evaluation data to determine if the program is operating as planned. Those data will help shape a scaled mediation program, while also informing the efforts of City officials who are creating pathways for mediation through their agencies' routine engagement with landlords and tenants.



PUBLIC EDUCATION

RECOMMENDATION

Conduct a public education campaign about eviction and safe, habitable housing.

MEMBERS

Community Legal Services, Division of Housing and Community Development, Interfaith Hospitality Network, Managing Director's Office, Office of Community Empowerment & Opportunity, Pennsylvania Apartment Association, Philadelphia Housing Authority

ACCOMPLISHMENTS

- » Distributed Over 4,000 copies of the Philly Tenant Resource Guide.
- » Developed curricula for landlord- and tenant-focused eviction prevention trainings.
- » Incorporated tenant eviction prevention training into Neighborhood Advisory Committees' (NACs) Service Area Briefings.
- » Planned citywide eviction prevention public information campaign.

MOVING FORWARD

- » Conduct market research and initiate a multimedia eviction prevention communication campaign.
- » Partner with community-based organizations to host eviction prevention trainings for landlords and tenants.
- » Produce eviction prevention resources in multiple languages.
- » Develop an eviction prevention training curriculum for trusted messengers.

The Mayor's Taskforce discovered that both landlords and tenants find it difficult to keep up with their respective rights and responsibilities. Landlord-tenant law can be inscrutable to the untrained eye; legible, credible information on rules and resources is not widely available. Smaller landlords who are unconnected to industry groups and tenants in underserved, undervalued communities are especially vulnerable to information gaps.

Community education is required to bridge the gap. By identifying target audiences, core messages, and distribution platforms, a landlord-tenant community education campaign can disseminate tailored information to those who need it most. Community education is not just suitable for elevating best practices on addressing rentership issues. It can also connect landlords and tenants to the network of providers and agencies that offer rent and utility assistance, legal representation, repair and rehabilitation loans, and other supports. Community education is an essential component of Philadelphia's anti-eviction work.

A year into their work together, the Public Education action team has made strides in documenting and publicizing best practices for landlord-tenant relations. The group circulated up-to-date housing resource booklets, made plans for a citywide public education campaign, and created curricula on eviction prevention for both tenants and landlords. Action team members have also spent the year hitting the road, partnering with the Division and Housing and Community Development to present on eviction prevention at community group meetings across the city.

Next year, the Public Education action team will focus on bolstering its community presence through data-driven, targeted outreach. With the help of a consultant, the action team will develop and distribute tailored materials for subpopulations that are often party to an eviction. They will also begin offering workshops on eviction prevention to trusted messengers, such as health care providers, case managers, and teachers.



SHERIFF'S SALE

RECOMMENDATION

Address the displacement of renters that occurs after a sheriff's sale by expanding the use of sequestration to divert tax-liened properties and ensuring tenants have adequate notice and funds for moving costs.

MEMBERS

AIDS Law Project, Philadelphia Legal Assistance, Philadelphia Sheriff's Office

ACCOMPLISHMENTS

- » Developed user friendly notices for tenants in sheriff's sale properties.
- » Drafted proposals for a tenant relocation set-aside.

MOVING FORWARD

- » Advocate for policy changes such as the adoption of revised notices and the creation of the relocation set-aside fund.

After fortifying its collection and enforcement strategy, Philadelphia has made commendable strides in addressing property tax delinquency. In 2017, 10,437 landlords received a sheriff's sale petition (a notice that their tax delinquent property would soon experience foreclosure) compared to just 815 landlords in 2010.¹⁵ While the City's new strategy means more revenue for essential services, it may engender unintended consequences for renters. When cash strapped landlords miss payments and enter foreclosure, their renters are unexpectedly thrust into housing instability.

Tenants in sheriff's sale properties are innocent bystanders, but the foreclosure process treats them as if they are guilty. Despite the provisions of the federal Protecting Tenants at Foreclosure Act (passed in 2018), renters in sheriff's sale properties are often given inadequate notice and limited time to relocate. If their homes are sold at sheriff's sale, their new landlords may even evict them to "flip" and re-rent at a profit. Policy and practice changes within multiple City departments are needed to ensure that foreclosure in non-owner-occupied properties is routinely met with proactive outreach to and assistance for impacted tenants.

The Sheriff's Sale action team is rallying support for such reforms. Their objectives include bolstering the notice process and expanding sequestration — a rent receivership program that preserves tenancies. In the year ahead, the action team will continue brokering partnerships with the Sheriff's Office, the Law Department, and the Revenue Department to reconcile two worthwhile aims: efficient property tax collection and tenant protection.

HOW YOU CAN HELP

CEO needs your help to reduce eviction and promote housing equity.

- » Join a Housing Security Working Group action team or intern with CEO.
- » Request a tenant or landlord workshop about eviction.
- » Advocate for tenants' right to counsel or eviction record sealing.
- » Adopt a mediation program in the properties you manage.
- » Conduct research on eviction, housing quality, or housing instability.
- » Provide funding for large scale interventions like a low-income legal defense fund or an eviction diversion program.

Stand with us as we make long-term, stable tenancies the norm in Philadelphia.

**Contact us at
ceoinfo@phila.gov
to get involved.**

REFERENCES

- 1 Lipsitz, G. (2011). Introduction: Race, Place, and Power. In *How Racism Takes Place* (pp. 1-21). Philadelphia, PA: Temple University Press.
- 2 Desmond, M., & Wilmers, N. (2019). Do the Poor Pay More for Housing? Exploitation, Profit, and Risk in Rental Markets. *American Journal of Sociology*, 124(4), 1090-1124. doi:10.1086/701697
- 3 Desmond, M. (2016). *Evicted: Poverty and Profit in the American City*. New York, NY: Crown.
- 4 Hartman, C., & Robinson, D. (2003). Evictions: The hidden housing problem. *Housing Policy Debate*, 14(4), 461-501. doi:10.1080/10511482.2003.9521483
- 5 Desmond, M. (2016). *Evicted: Poverty and Profit in the American city*. New York, NY: Crown.
- 6 Goldstein, I., Dowdall, E., Weidig, C., & Simmons, J. (2019). *Philadelphia Evictions Research* (pp. 1-35, Rep.). Philadelphia, PA: The Reinvestment Fund.
- 7 Princeton University Eviction Lab. (2018). Top Evicting Large Cities in the United States. Retrieved from <https://evictionlab.org/rankings/#/evictions?r=United States&a=0&d=evictions>
- 8 U.S. Census Bureau. (2018). Table S1903: Median Income in the Past 12 Months (In 2017 Inflation-Adjusted Dollars): 2013-2017 American Community Survey 5-year Estimates. Retrieved from https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_17_5YR_S1903&prodType=table
- 9 Terruso, J., & Restrepo, E. (2019, January 18). Why so few of Philly's homeless Latinos use shelters, get city services. Retrieved from <https://www.inquirer.com/news/latino-homelessness-philadelphia-services-shelters-20190118.html>
- 10 U.S. Census Bureau. (2017). American Housing Survey Table Creator: 2017 Philadelphia - Housing Quality - All Occupied Units Philadelphia-Camden-Wilmington, PA-NJ-DE-MD MSA (2013 OMB definition). Retrieved from https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=a37980&s_year=m2017&s_tableName=Table5&s_byGroup1=a8&s_byGroup2=a1&s_filterGroup1=t1&s_filterGroup2=g1&s_show=S
- 11 Harvard Joint Center for Housing Studies. (2017). Renter Cost Burdens by Race and Ethnicity. Retrieved from https://www.jchs.harvard.edu/ARH_2017_cost_burdens_by_race
- 12 Howell, O., & Eichel, L. (2018, September 26). Philadelphia's Poor: Experiences from Below the Poverty Line
- 13 Bezdek, B. (1992). Silence in the Court: Participation and Subordination of Poor Tenants' Voices in the Legal Process. *Hofstra Law Review*, 20, 533-608. Retrieved from <https://scholarlycommons.law.hofstra.edu/cgi/viewcontent.cgi?article=1742&context=hlr>
- 14 Steinkamp, N. (2018, November 13). *Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants* (Rep.). Retrieved <https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>
- 15 Eichel, L., & Ginsberg, T. (2019, February 4). Philadelphia Makes Progress on Collecting Delinquent Property Taxes. Retrieved from <https://www.pewtrusts.org/en/research-and-analysis/articles/2019/02/04/philadelphia-makes-progress-on-collecting-delinquent-property-taxes>

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