

PROGRESS
REPORT

March
2021

STAYING home

EVICTION PREVENTION
AND RESPONSE

LETTER FROM THE CO-CHAIRS OF THE HOUSING SECURITY WORKING GROUP

The past year will always be remembered as a time when many of the normal features of our day-to-day lives were upended, and feelings of being “at risk” and “vulnerable” became a reality for a larger segment of our population.



The COVID-19 pandemic made housing insecurity a shared experience for thousands of Philadelphians – some for the first time in their lives, as workers in industries such as hospitality, food service, construction, and retail sales were laid off en masse. Many of the people who were housing insecure before the pandemic, particularly in Black and brown communities, were hit hardest by the virus because of their role as essential workers or because they lived in multi-generational households. Struggling parents faced new childcare and remote learning obligations, and were forced to make difficult choices between maintaining employment and providing at-home support to their school-age children. In this new environment, home has taken on an even greater importance as a place of safety and refuge, and eviction prevention has never been more important – today it is quite literally a matter of life and death.

The Housing Security Working Group is a cross-sector, action-oriented committee convened by the City of Philadelphia, Office of Community Empowerment and Opportunity (CEO) to support the implementation of the recommendations issued by the Mayor’s Task force on Eviction Prevention and Response in June 2018. This Year 2 report includes an update of the eviction prevention activities carried out by Housing Security Working Group members and partner organizations. Additional information about the Housing Security Working Group is provided on page 18 of this report.

Financially-strapped renters facing the threat of eviction during a global pandemic have few safe housing alternatives. Short-term options that may have been available to displaced families in the past, such as doubling up with family or couch-surfing, directly contradict COVID-19 health and safety guidelines. Sending evicted families to an already overburdened shelter system is also not the answer.

Housing Security Working Group (HSWG) members and partner agencies have responded to the challenges of the past year with a mix of decisiveness, courage, innovation, and collaboration. New programs and policies to temporarily stave off evictions were stood up in rapid succession, despite the constraints imposed by remote work and the ever-evolving COVID-19 resource landscape. City housing agencies made desperately-needed rental assistance available through the multi-phased PHL RentAssist program and worked with partners to create a nationally-recognized Eviction Diversion Program. Philadelphia City Council passed legislation providing a comprehensive set of protections for renters, and Municipal Court placed a moratorium on eviction lockouts that tracked the federal moratoriums on eviction filings. And when the courts were closed in the initial months of the pandemic, existing programs such as the Philadelphia Eviction Prevention Project (PEPP) quickly adjusted priorities to focus on the urgent need for advocacy, tenant outreach, and education.

Over the past year, HSWG members have also made significant progress in advancing several of the recommendations from the [2018 Final Report of the Mayor's Task Force on Eviction Prevention and Response](#). We celebrated the passage of right-to-counsel legislation, which was the culmination of years of organizing and advocacy by Philadelphia's legal services community. With funding support from AARP, we launched a pre-filing mediation pilot that helped to lay the groundwork for the Eviction Diversion Program. We advocated for new policies and more intergovernmental coordination to better address cases of illegal evictions. We conducted outreach to small landlords and informed them of available resources, including the Philadelphia Housing Development Corporation's newly launched Impact Loan Fund. And we engaged in cutting-edge research that deepened our understanding of the racial and ethnic patterns in eviction filings, racial disparities in court outcomes, and the factors that effect the quality of judgments by agreement.

This Year 2 Report provides an overview of some of the key milestones, selected data trends and progress achieved on the Task Force recommendations in 2019/2020. While we are proud of Philadelphia's eviction prevention accomplishments, we continue to recognize the devastating toll that the pandemic has taken on our most vulnerable residents. It may take many months, and possibly years, for many of our city's low-income tenants to return to the state they were in before the pandemic – which, for too many renter households, was living in unaffordable and unsafe conditions. This sobering reality compels us to recommit to continuing our support for the robust emergency measures needed to get past the worst of this crisis, but to also never stop working together to address the underlying and systemic racial and economic inequities that make evictions, substandard housing and episodic homelessness everyday life experiences in many communities of color across our city.

Sincerely,

Mitchell Little

Executive Director, Office of Community Empowerment & Opportunity

Rasheedah Phillips

Managing Attorney for Housing Policy, Community Legal Services of Philadelphia

YEAR IN REVIEW

The timeframe for this report begins in September 2019, which represents the start of the second year since the Housing Security Working Group was reconvened to support the implementation of recommendations issued by the Mayor’s Task Force on Eviction Prevention and Response. While this report references some data and policy updates through the end of 2020, the Year in Review is a reflection of the twelve months between September 2019 and September 2020.

One of the highpoints of 2019/2020 was the remarkable progress made by local researchers, who added significant new findings on the racial and geographic trends in evictions and nuanced insights on the nature of court processes and outcomes. Thanks to this work, we learned more about the challenges faced by low-income renters city-wide and were presented with practicable policy proposals to guide the work of City and court officials, nonprofits, and HSWG partners in implementing systemic reforms.

Despite the notable advances in data and research, the past year will be remembered for the arrival of a global pandemic in early 2020, which triggered an historic recession that placed millions of renters and landlords nationwide on the brink of financial collapse and homelessness, and hit Black and brown communities the hardest. This challenge was met in Philadelphia with a coordinated effort by stakeholders who fought to get rental and utility assistance programs in place and to undertake a variety of measures to halt eviction filings and lockouts.

The City’s housing agencies quickly mobilized forces to launch an emergency rental assistance program – PHL Rent Assist – in May 2020. By June, City Council passed the Emergency Housing Protection Act, prohibiting all eviction filings through August 31, waiving late fees, establishing an option for a 9-month repayment plan, and providing free mediation and housing counseling support to tenants and landlords in dispute. In early fall, advocates lobbied for improvements to the state’s Rental Relief program –eventually leading the City to provide a dollar-for-dollar match (raising the maximum monthly payment from \$750 to \$1,500) and the state to eliminate other landlord disincentives.

Despite these efforts, too many Philadelphians, and disproportionately those of color, have suffered great financial loss, personal trauma, and threats to their health and wellbeing. While court backlogs and the remaining COVID-19 protections are curbing eviction filings for the time being, advocates for tenants and landlords agree that without a new infusion of rental assistance to offset rapidly rising balances of unpaid rent, the impact of the COVID-19 pandemic is likely to lead to severe spikes in evictions and housing instability for years to come.

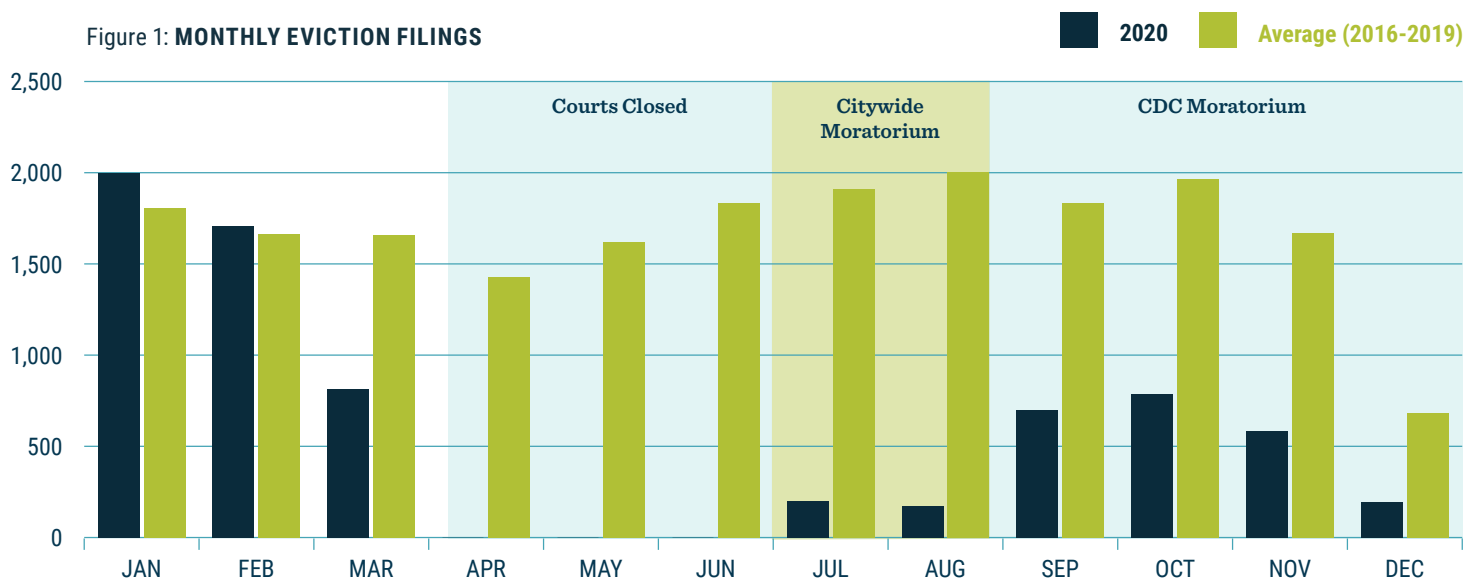
SEPTEMBER	<ul style="list-style-type: none"> ○ Pre-filing mediation pilot launches in late September and runs through the end of November. The pilot was operated by Tenants Union Representative Network (TURN), and by Good Shepherd Mediation Program (GSMP), and funded with a grant to CEO from AARP. 	Philadelphia City Council passes Bill #180936, updating the law on lead certification by requiring all properties built prior to 1978 to be certified as Lead Safe or Lead Free. (September 19, 2019)	
OCTOBER	<ul style="list-style-type: none"> ○ City Council holds hearings on right to counsel legislation. Community Legal Services (CLS) and other members of the Philadelphia Eviction Prevention Project (PEPP) offer testimony. 		
NOVEMBER	<ul style="list-style-type: none"> ○ Philadelphia City Council passes Legal Representation in Landlord Tenant Court, extending a right to counsel to low-income tenants facing eviction. (November 14, 2019) 		
JANUARY	<ul style="list-style-type: none"> ○ City of Philadelphia is selected to join the National League of Cities and Stanford University's Designing Housing Solutions Network & Eviction Cohort. 	Managing Director's Office (HHS) and CEO work with GSMP to expand pre-filing mediation pilot.	
FEBRUARY	<ul style="list-style-type: none"> ○ Expanding Legal Representation Action Team works with the Managing Director's Office, Health and Human Services (MDO, HHS) on drafting regulations for the implementation of right to counsel. 		
MARCH	<ul style="list-style-type: none"> ○ City Council holds press conference to announce results of the Special Committee on Poverty. (March 3, 2020) 	First case of COVID-19 recorded in Philadelphia on March 10. By March 19, all non-life-sustaining businesses ordered closed by Governor Wolf.	Mid-March: PA Courts announce two-week closures, later extended through June 1.
APRIL	<ul style="list-style-type: none"> ○ H.B. 2382, a bill which would automatically seal most eviction records across the state, is introduced in the Pennsylvania state legislature. 	PEPP partners advocate that the State apply for and establish a \$150 million rental and foreclosure assistance fund, with millions of dollars in rental assistance coming to Philadelphia.	Reinvestment Fund publishes research on Judgments by Agreement in Philadelphia Eviction Court .
MAY	<ul style="list-style-type: none"> ○ Governor Wolf extends statewide court closures through July 9. 	Philadelphia Housing Development Corporation (PHDC) opens applications for emergency rental assistance program, PHL Rent Assist Phase 1, targeting very low-income renters impacted by COVID-19.	
JUNE	<ul style="list-style-type: none"> ○ City Council passes the Emergency Housing Protection Act, which includes: 	<ul style="list-style-type: none"> • Moratorium on all evictions through August 31, 2020 • Temporary prohibition against charging late fees and penalties for late rent payments (extended through September 30, 2021) • New legal remedies for illegal (self-help) evictions 	<ul style="list-style-type: none"> • Eviction Diversion Program, mandatory through 12/31 for landlords with a tenant that has a COVID-19 hardship • Requirement that landlords allow tenants to enter into a 9-month repayment agreement for outstanding rent incurred between March 1 and August 31, 2020 (later extended to December 31, 2020)
JULY	<ul style="list-style-type: none"> ○ Pennsylvania Housing Finance Agency (PHFA) announces statewide Rental Relief Program, administered locally by PHDC as PHL Rent Assist Phase 2. 	A new resource for small landlords, PHDC's Rental Improvement Loan Fund (operated by Impact Services) begins taking applications.	
AUGUST	<ul style="list-style-type: none"> ○ DHCD launches Eviction Diversion Program on August 31. Partners include Good Shepherd Mediation Program, Philadelphia Legal Assistance, CLS, TURN, and Philadelphia Fair Housing Commission. 		
SEPTEMBER	<ul style="list-style-type: none"> ○ CDC moratorium on evictions announced (Sept. 4 –Dec. 31, 2020; extended to March 31, 2021). 	Municipal Court order puts a halt to eviction lockouts through October 7 (extended to March 31, 2021).	

STATE OF EVICTIONS IN PHILADELPHIA

Eviction filings increased only slightly between 2018 and 2019, while filing patterns for most of 2020 were distorted by the impact of court closures and moratoriums enacted in response to the pandemic.

The eviction filing rate for calendar year 2019 (7.09 percent) was virtually unchanged from the previous year (7.07 percent). However, the filing rate for both 2019 and 2018 remained well below the baseline level of 7.84 percent in 2017. In the first two months of 2020, eviction filings in the city were slightly above historical monthly averages.

Everything changed with the announcement of the first documented case of COVID-19 in Philadelphia on March 10, 2020. By March 19, the entire state was placed under a shut-down order, closing all non-life sustaining businesses to halt the continued spread of the virus. The massive closures of businesses and resulting job losses left thousands of Philadelphia renters unable to pay rent and potentially at risk of involuntary displacement.

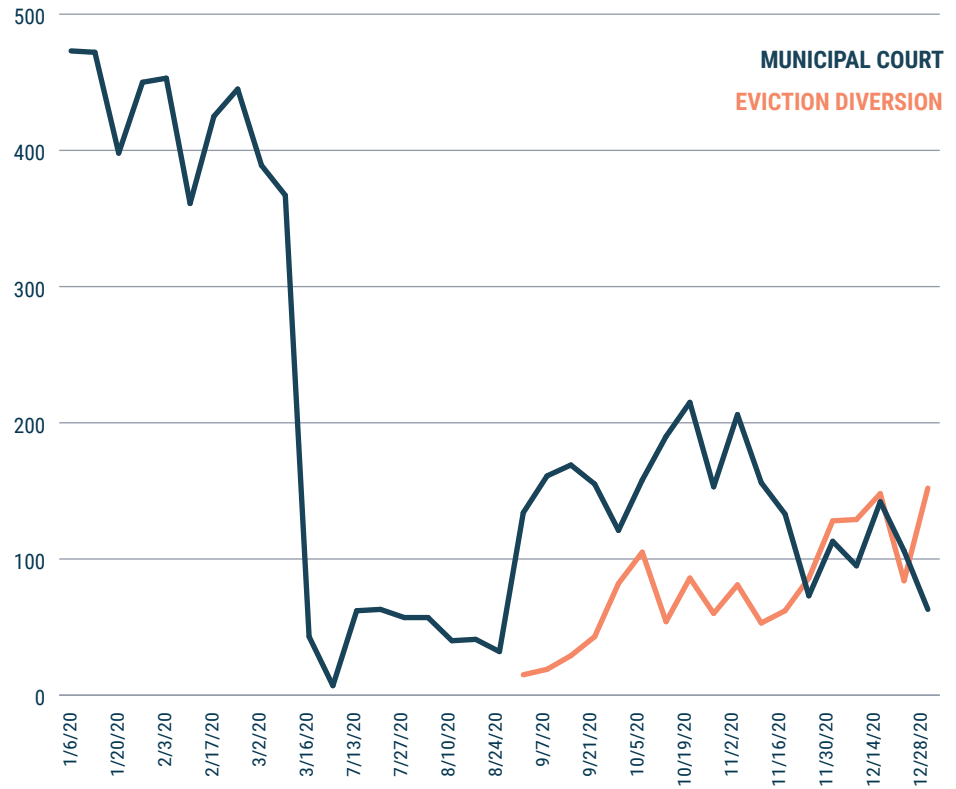


Source:
Eviction Tracking System,
Eviction Lab, Princeton University;
Philadelphia Legal Assistance.

In response to the dual public health and economic crises, new protections were put in place that offered some relief to low-income renters during the spring and summer months, including court closures and moratoriums. During this period of multiple and overlapping moratoriums on court activity, eviction filings fell to nearly zero—picking up only slightly with the reopening of the courts in July but remaining constrained by a City Council moratorium on eviction filings through the end of August. By September, filings could resume; however, landlords with tenants able to claim a COVID-19 related hardship were required to participate in the Eviction Diversion Program prior to initiating any court action.

Figure 2: **MUNICIPAL COURT VS. EVICTION DIVERSION**

Evictions filed after the courts reopened in July 2020 included a combination of eligible filings (e.g., tenants without a COVID-19 hardship or cases in which there was an immediate threat of harm) and non-compliant landlords who sought to side-step the moratorium and avoid participation in the mandated Eviction Diversion Program. Mediations conducted through the Eviction Diversion Program have increased steadily since the program launch in September, and by the end of December closely tracked the pace of eviction filings.

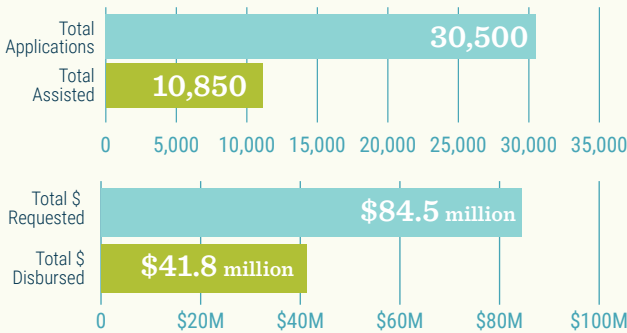


Source: Philadelphia Legal Assistance; City of Philadelphia, Division of Housing and Community Development

COVID-19 EVIDENCE OF NEED

Demand for rental assistance far exceeded the supply, yet in 2020, Pennsylvania left resources on the table.

Figure 3: **PHILADELPHIA'S COVID-19 RENTAL ASSISTANCE PROGRAM**



UNSPENT STATE RENTAL RELIEF FUND¹

\$108
MILLION

Source: Philadelphia Housing Development Corporation, <https://phlrentassist.org/>

¹Unspent funds due to administrative challenges at the state level

The stress on the city's rental market associated with the COVID-19 pandemic will continue to be felt throughout 2021. The early indications are that unemployment and rental assistance programs, moratoriums, and the requirements for participation in the mediation program had the effect of temporarily suppressing eviction filings. However, housing advocates are concerned that without additional financial resources to cover growing rental arrearages, 2021 will see an unprecedented wave of eviction filings and homelessness.

Surviving an Illegal Eviction During COVID-19:

Walter's Story

Walter Hill* and his partner Gloria had been living in Northwest Philadelphia for five years before the pandemic struck in early 2020. Mr. Hill had just gotten his barber's license and was preparing to open shop in March when the restrictions forced him to delay.

*not actual names

Soon he was filing for Pandemic Unemployment Assistance (PUA), which helped him stay current on his rent without interruption. Then in the fall, Walter and his landlord had a dispute over repairs. Walter received advice that he could legally put his rent in escrow until the leaky pipes and mold in his apartment were addressed, so he sent notice to his landlord stating his intentions. The conflict escalated when the property owner's husband responded by kicking down the front door. This happened twice more over the following week, the third and final time occurring when Walter and Gloria were out of town. When they arrived home, they were confronted with a missing front door and an apartment that had been completely emptied out. Everything they owned, including all the money they had been saving, was gone.

Walter filed a police report, and the incident was coded as a burglary. With limited cash, he drove over the bridge to New Jersey where his brother lives and where he and Gloria could find an affordable motel to stay while they waited for things to get straightened out. Unfortunately, many of the organizations that might have been able to help were operating at limited capacity due to the pandemic. Walter's story shows the need for the work of the Housing Security Working Group, including strengthened penalties for illegal lock-outs, expanded legal assistance for tenants, and greater support for non-profit service providers to assist the growing number of tenants in need of help during the pandemic and beyond.

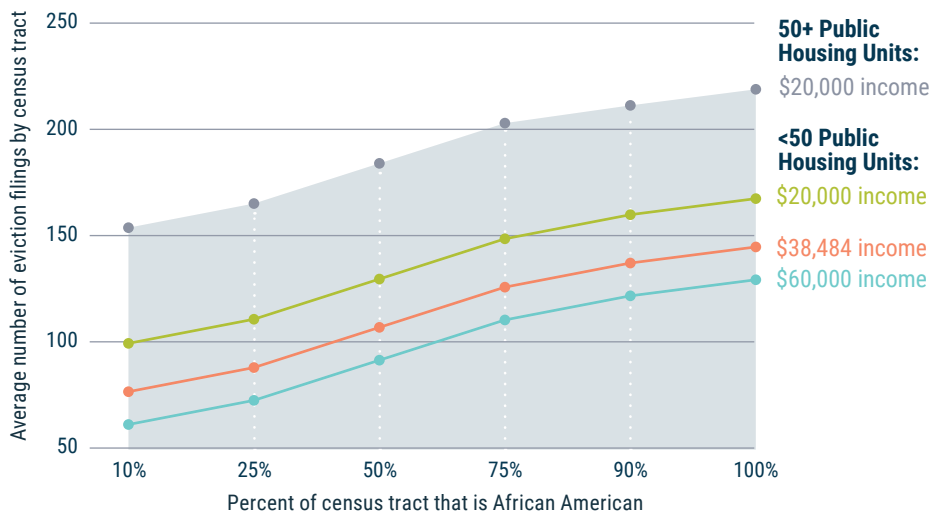
In Philadelphia, race continues to be the most powerful predictor of eviction filings by geographic area, even after controlling for other factors.

Figure 4: CENSUS TRACT CHARACTERISTICS

After controlling for public housing, the positive relationship between the percentage of the population that is black and total eviction filings is evident across all income categories, including upper income levels (\$60,000 or approximately 50 percent above median income).²

Source: Reinvestment Fund, 2019

The positive association between the percentage of the population in a census tract that is African American and the estimated number of eviction filings persists, even when considering tracts at the higher end of the income distribution. Census tracts with the highest estimated number of eviction filings (see gray area in figure 4) also tend to be of lower-income and have a significant number of public housing units (50 or more), which have significantly higher filing rates than private rentals.

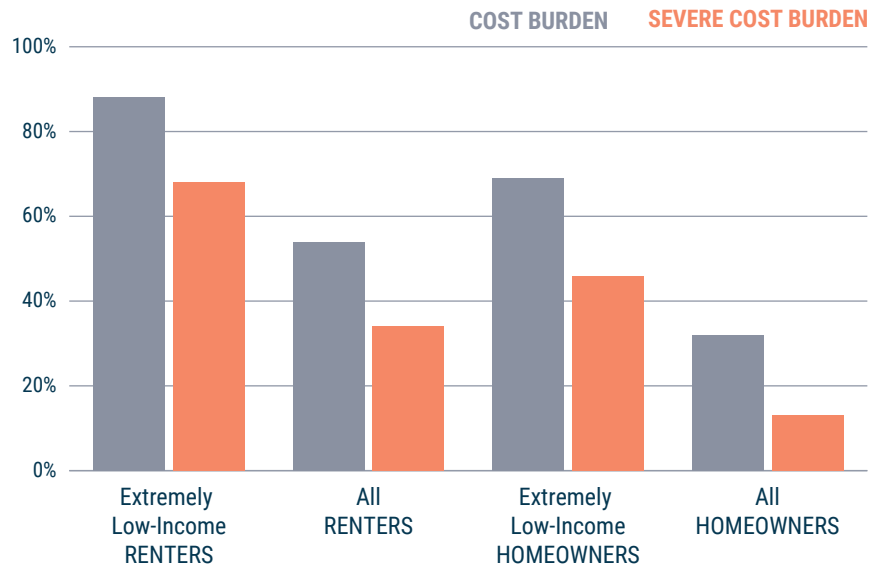


Extremely low-income renters, with incomes below \$30,000, are the most housing insecure.

Figure 5: HOUSING COST BURDENS FOR PHILADELPHIA RENTERS AND HOMEOWNERS, 2018

Extremely low-income renters experience the highest rates of housing cost burden (defined as paying more than 30 percent of income on housing costs) across all household types, ranging from 86 to 90 percent of all households in this income category.³

Source: The Pew Charitable Trusts, 2020.



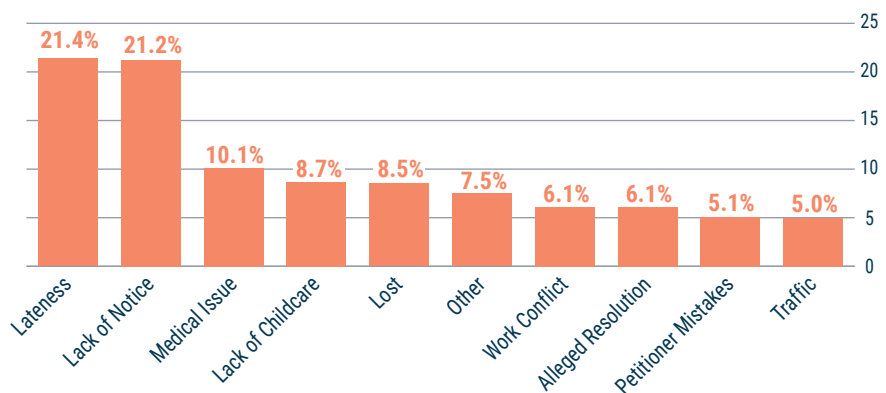
Reducing the involuntary displacement resulting from default judgments could be accomplished by relatively minor changes in court procedures.

Default judgments, which occur when one party (typically the tenant) fails to appear in court, are responsible for an estimated one-third of all judgments and close to 50 percent of all eviction lockouts. A recent report by Temple University's Sheller Center for Social Justice argued that simple measures such as improved signage at Municipal Court (exterior and interior), conducting a second "call" later within each court session so that tenants who arrived late can still be heard, and improving the procedures for granting continuances could help reduce nearly 60 percent of default judgments. Reforming the tenant notification process by including plain language notices that eliminate legal jargon and highlight the key pieces of information that tenants need to act on was another recommendation to improve court access.⁵

Figure 6:

REASON STATED FOR TENANT'S FAILURE TO APPEAR AT HEARING

Source: Temple University, Sheller Center for Social Justice, 2020.



POLICY HIGHLIGHTS:

Right to Counsel comes to Philadelphia!



Photo credit: Philadelphia City Council, 2019.

In November 2019, Philadelphia became the fifth jurisdiction in the nation to enact “right to counsel” legislation for tenants facing eviction. The legislation, which was passed unanimously by City Council, requires that all income-eligible tenants (with incomes below 200 percent of the federal poverty level) have access to legal representation in eviction court. The policy is designed to address a pervasive power imbalance between landlords and tenants in eviction court. In Philadelphia, less than 10 percent of renters have legal representation compared to over 80 percent of landlords. Tenants who have legal representation are more likely to appear in court and work out an agreement that allows them to remain in the unit, thereby avoiding a disruptive displacement. A recent study by Stout LLC found that each dollar invested in providing legal representation for low-income tenants leads to nearly \$13 in cost savings to the City and local social service providers.⁶

The passage of right to counsel legislation builds on the resources and legal supports for tenants provided through the Philadelphia Eviction Prevention Project (PEPP). Launched in the summer of 2017, PEPP provides a suite of services for renters facing the threat of eviction. These services include a court navigator, “Lawyer of the Day program,” pro-bono representation (for certain cases), a court help center, tenant education, and a tenant hotline. Partner organizations include Community Legal Services, Philadelphia VIP, Legal Clinic for the Disabled, Senior Law Center, TURN, and Clarifi.

Between January 2018 and September 2020, PEPP’s accomplishments included the following:

4,795

tenants facing an eviction received expert legal assistance

1,764

tenants were represented by the Lawyer of the Day at the time of their eviction hearing

235

tenants were represented by pro-bono attorneys

109,238

people accessed legal self-help materials, legal information and videos from PhillyTenant.org

For a full list of PEPP accomplishments, visit <http://www.phillytenant.org/pepp/>.

POLICY HIGHLIGHTS:

Help in the Fight Against Illegal Evictions

- City Council passed legislation giving tenants displaced by an illegal or self-help eviction the right to file suit through a private right of action at the Philadelphia Fair Housing Commission. The new regulations governing illegal evictions were the only permanent provision in the Emergency Housing Protection Act.
- CLS and members of the Illegal Evictions Action Team gained a commitment from the Pennsylvania Attorney General's Office to institute a rapid response to incidents of illegal lockouts as they arise and to make the problem of illegal evictions a focus of outreach and education efforts. This success built upon repeated advocacy with the Mayor, Governor and Attorney General to provide a governmental response to the rise in illegal evictions during the pandemic, as well as the recommendations issued by the Police Advisory Commission in February 2019.⁷

EVICTION PREVENTION RECOMMENDATIONS

PROGRESS IN 2019/2020




The pandemic and its potential to lead to a spike in housing insecurity and involuntary displacement brought an urgency to the work of eviction prevention. The Housing Security Working Group continued to serve as an important forum for stakeholders to share information, create and strengthen new partnerships and generate strategies to respond to the crisis.

HSWG members worked with partners in city and state government to advocate for and facilitate the launch of new programs and policies to address the challenges related to COVID-19, and to make progress on many of the Eviction Task Force recommendations.

While COVID-19 is likely to continue to shape priorities for the city's eviction prevention efforts in the coming year, the HSWG will look for opportunities to align new initiatives with the strategies and policy recommendations from the Eviction Task Force.







OUTREACH AND EDUCATION


RECOMMENDATION	STATUS	ACTIONS	AGENCIES/ PARTNERS
<p>Easy Access: Create a single portal for access to eviction prevention services. Expand the capacity of existing housing counselors and the Tenant Referral Helpline.</p>	<p>In Progress</p> 	<p>The Tenant Referral Helpline (or Tenant Hotline), created as part of the Philadelphia Eviction Prevention Project (PEPP), received additional resources to support referrals for the new Eviction Diversion Program. Phone tree options were added to link callers to PLA for COVID-19 related hardships and to PEPP affiliates for connection with legal services support.</p>	<p>Division of Housing and Community Development, Managing Director's Office, Philadelphia Housing Development Corporation, TURN, Community Legal Services, Philadelphia Legal Assistance</p>
<p>Public Education: Conduct a public education campaign about eviction and safe, habitable housing. Focus on increasing knowledge of rights and responsibilities of tenants and landlords and encouraging the use of available resources.</p>	<p>In Progress</p> 	<p>Multi-media campaign CEO selected a communications firm to develop messaging campaigns targeting tenants, landlords and older adults, with a focus on COVID-19 related housing information. The campaigns will begin in spring 2021.</p> <p>Tenant Education CLS continued to conduct tenant education workshops through PEPP. In FY 2020:</p> <ul style="list-style-type: none"> • CLS conducted 70 tenant workshops in communities all across the city; • 358 people attended TURN's tenant workshops. <p>Landlord Education CEO offered 7 workshops (4 in person, 3 virtual) targeting small landlords. More than 100 landlords participated across all events.</p> <p>The City's Department of Licenses and Inspections (L&I) partnered with the Philadelphia Fair Housing Commission to notify landlords of eviction prevention laws and initiatives enacted in response to the COVID pandemic.</p> <p>Tenant Resources CEO and CLS partnered to print 10,000 copies of CLS's Tenant Resource Guide in both English and Spanish.</p>	<p>Office of Community Empowerment and Opportunity, Division of Housing and Community Development, Office of Homeless Services, Department of Licenses and Inspections, HAPCO</p>
<p>Direct Outreach: Increase direct outreach to tenants with an eviction filing, and ensure tenants receive notice. Make sure tenants are aware of the eviction filing, the court date, and available resources.</p>	<p>Planning Stage</p> 	<p>The rapid changes in court processes and resources related to COVID-19 led to a need for more outreach and information to impacted tenants. Outreach primarily involved direct mailings of clear language notices on procedural changes. These efforts will help inform future outreach programs that are needed over the long term.</p>	<p>TURN, Community Legal Services, Philadelphia Fair Housing Commission</p>



RESOURCES AND SUPPORTS




RECOMMENDATION	STATUS	ACTIONS	AGENCIES/ PARTNERS
<p>Rental Subsidy: Explore expanding the availability of short and long-term rental assistance and other affordable housing subsidies.</p>	<p>In Progress</p> 	<p>Short-term assistance: The City issued three phases of an emergency rent subsidy program called PHLRentAssist, adapting it to meet changing federal and state funding program requirements over an 8-month period. Approximately \$41.8 million was dispersed to 10,850 applicants.</p>	<p>Division of Housing and Community Development, Philadelphia Housing Development Corporation, Pennsylvania Housing Finance Agency</p>
<p>Homelessness Prevention: Run a pilot to replicate HomeBase, New York’s targeted homelessness prevention program. This program, focused on at-risk individuals, would provide appropriate wraparound services, possibly including short-term financial assistance, longer-term subsidy, housing counseling, or financial counseling.</p>	<p>Planning Stage</p> 	<p>The Office of Homeless Services (OHS) has consulted with HomeBase NYC for information on its procedures for assessing risk of homelessness for renters with an eviction filing.</p> <p>In 2017, OHS revised its homeless prevention assessment tool, modeling it after the tool used by HomeBase. The revised assessment tool prioritized families with young head of households (age 18 to 24), previous shelter stays as a child, Department of Human Services (DHS) involvement and recent shelter episodes.</p>	<p>Office of Homeless Services</p>
<p>Loans for Repairs: Fund a program to enable small landlords (those who own four or fewer rental units) to obtain low-interest loans for necessary repairs to their properties, ensuring good-quality, affordable housing for tenants.</p>	<p>Complete</p> 	<p>In May 2020, PHDC selected the Impact Loan Fund, a CDFI affiliated with Impact Services, to administer the Rental Improvement Fund pilot. Eligible applicants are small landlords (fewer than 10 units) in ZIP codes 19120, 19122, 19124, 19125, 19133, 19134, 19137, and 19140. Loan amounts range from \$10K to \$25K.</p> <p>In June 2020, PHDC also launched the Landlord Working Capital Loan program to help small landlords facing revenue shortfalls due to COVID-19. The Working Capital Loan program has a maximum loan amount of \$10,000, with no repayment required for the initial 6 months of the loan term.</p>	<p>Philadelphia Housing Development Corporation, Impact Services</p>
<p>Data on Properties: Develop a database with publicly available and easily accessible information about landlords and rental properties.</p>	<p>Not yet started</p> 	<p>While this action has not started, many of the required data elements are coming together. L&I’s publicly available data can be accessed through OpenDataPhilly, and licenses can be searched by business name (landlord) in eCLIPSE.</p> <p>OHS is launching a more limited database for landlords that participate in OHS programs. The Padmission application (developed by Phoenix-based HOM) creates a searchable dataset of landlords accessible to tenants in need of housing. The application is due to launch in early 2021.</p>	

RESOURCES AND SUPPORTS, continued

RECOMMENDATION	STATUS	ACTIONS	AGENCIES/ PARTNERS
<p>Sheriff's Sale: Address the displacement of renters that occurs after a Sheriff's sale. This includes expanding the use of sequestration to divert tax-liened properties, and ensuring tenants have adequate notice and funds for moving costs.</p>	<p>Planning Stage</p> 	<p>The Sheriff's Sale Action Team estimated that 40 to 60 Philadelphia tenants face this situation in a typical year, with relocation costs averaging \$2,500. Based on these estimates, the group determined that \$150,000 would be needed to create a pilot relocation assistance program for tenants facing eviction due to a Sheriff's sale.</p>	<p>Office of Community Empowerment and Opportunity, Philadelphia Legal Assistance, AIDS Law Project, ACHIEVEability</p>






HOUSING STANDARDS AND ENFORCEMENT




RECOMMENDATION	STATUS	ACTIONS	AGENCIES/ PARTNERS
<p>Unlicensed Properties: Expand the use of data analysis to identify properties being rented without licenses, using predictive models to locate suspected unlicensed rental units, and increase compliance.</p>	<p>In Progress</p> 	<p>L&I has begun work on predictive modeling, with a focus on identifying units where fire and other safety risks are highest. L&I is also using its eCLIPSE technology to identify rental licenses that have expired or lapsed within the past 5 years.</p>	<p>Department of Licenses and Inspections</p>
<p>Code Changes: Explore code changes, based on further study of best practices, to make enforcement against problematic landlords more efficient and effective.</p>	<p>In Progress</p> 	<p>The Law Department is researching best code enforcement practices with respect to low-income rental housing. The Law Department recently adopted the practice of adducing evidence to support requests for large fines (in more egregious cases). The legality of these large fines was recently upheld by the Pennsylvania Commonwealth Court.</p>	<p>Philadelphia Law Department, Mayor's Office of Civic Engagement and Volunteer Service, Department of Licenses and Inspections</p>
<p>Expanded Inspection: Expand the existing pilot program for inspection of and enforcement against the most problematic landlords.</p>	<p>In Progress</p> 	<p>L&I compiled a list of problem landlords and found that many also owed back taxes. The Law Dept. collaborated with Revenue to leverage these tax and water delinquencies, collect debts owed to the City, and facilitate compliance with code violations.</p>	<p>Philadelphia Law Department, Department of Licenses and Inspections, Department of Revenue</p>



LEGAL PROCESSES AND POLICIES

RECOMMENDATION	STATUS	ACTIONS	AGENCIES/ PARTNERS
<p>Good Cause: Provide good cause eviction protections. City Council legislation would seek to stop evictions due to reasons of discrimination and retaliation by requiring landlords to provide a just or good reason prior to evicting tenants.</p>	<p>Complete</p> 	<p>In January 2019, City Council passed a bill enacting good cause eviction protections. The law, which went into effect in April 2019, prevents a landlord from issuing a lease termination or non-renewal notice without first showing a “Good Cause” reason (e.g., breach of a material terms of the lease). The law applies to leases less than one year, including month-to-month leases. The law is enforced by the Philadelphia FHC.</p>	<p>Philadelphia City Council, Philadelphia Fair Housing Commission</p>
<p>Mediation: Implement two new opportunities for mediation between tenants and landlords, one before an eviction complaints filed and one after.</p>	<p>In Progress</p> 	<p>On August 31, 2020, DHCD and partner organizations launched the Eviction Diversion Program, which is a mandatory pre-filing mediation program called for in legislation passed by Philadelphia City Council in June. As of November 10, 2020, 529 landlords applied to the program, 134 agreements reached, and 201 mediations were in the process of being scheduled.</p> <p>In fall 2019, an 8-week pilot landlord-tenant mediation program was launched by CEO and the Pre-Filing Mediation Action Team. The pilot was extended by MDO-HHS in early 2020, and eventually folded into the Eviction Diversion pilot.</p>	<p>Division of Housing and Community Development, Philadelphia Housing Development Corporation, Philadelphia Fair Housing Commission, Philadelphia City Council, Managing Director’s Office, Office of Community Empowerment and Opportunity, Good Shepherd Mediation Program, Philadelphia Legal Assistance, JAMS, Philadelphia Bar Association, Community Legal Services, TURN, Pennsylvania Apartment Association, VIP</p>
<p>Rental Documents: Increase enforcement of requirements related to key rental documents to ensure that current laws around licensing and housing quality are being followed.</p>	<p>In Progress</p> 	<p>L&I and PDPH have built an interface between their data systems that will enable L&I to identify landlords who have failed to submit lead-free/safe certification to PDPH and are therefore out of compliance with the City’s Lead ordinance.</p> <p>The Partners in Good Housing brochure is being updated by the Law Department in collaboration with L&I.</p> <p>L&I’s new eCLIPSE data system will not generate a Certificate of Rental Suitability if a landlord has any open code violations older than 90 days.</p>	<p>Licenses and Inspections, Philadelphia Department of Public Health, Philadelphia Law Department, Philadelphia Streets Department, Philadelphia Department of Revenue</p>

LEGAL PROCESSES AND POLICIES, continued

RECOMMENDATION	STATUS	ACTIONS	AGENCIES/ PARTNERS
<p>Legal Representation: Increase legal representation for low-income tenants, expanding resources for legal representation from legal aid organizations as well as recruitment of volunteer lawyers.</p>	<p>In Progress</p> 	<p>In November 2019, City Council passed Right to Counsel legislation, which will provide free legal representation for low-income renters with an eviction filing. The Managing Director’s Office (HHS) invited HSWG members to provide input on the drafting of regulations for the new laws.</p>	<p>Philadelphia City Council, Managing Director’s Office, Expanding Legal Representation Action Team, PEPP</p>
<p>Sealing Records: Advocate for state legislation to permit the sealing of filings and judgments, with the goal of decreasing discrimination against tenants who have previously had an eviction complaint filed against them.</p>	<p>In Progress</p> 	<p>A working group made up of tenants and organizers is meeting to focus on the issue of record sealing and was recently added as one of the HSWG’s Action Teams.</p> <p>Legislation was introduced at the State level (H.B. 2382) to seal eviction records statewide, and at the local level (Resolution #200531) to institute administrative rules within the First Judicial District that would allow the court to seal eviction records in the interest of justice.</p> <p>CLS published a report in November 2020 including a legal analysis of the issue and policy recommendations.⁷</p>	<p>Community Legal Services, National Nurse-Led Care Consortium, Senior Law Center, HELP-Medical Legal Partnership, Pennsylvania Apartment Association, WOAR, Division of Housing and Community Development, Office of Community Empowerment and Opportunity</p>
<p>Court Accessibility: Ensure that Landlord-Tenant Court and the mediation process are accessible to individuals who are unfamiliar with the court process.</p>	<p>Not yet started</p> 	<p>While this action has not yet started, recent reports by research organizations such as Temple University’s Sheller Center for Social Justice and the Reinvestment Fund have offered workable and targeted policy recommendations for improving court accessibility and outcomes.</p>	

EVICTION PREVENTION CORE METRICS

	Baseline (2017)	2018	2019	
1. Total number of eviction filings	22,168	19,767	19,832	
2. Eviction filing rate (#eviction filings in municipal court / total # renter occupied units)	7.84%	7.07%	7.09%	
3. Eviction execution rate (# requests for possession / total # renter occupied units)	3.56%	3.23%	3.21%	
4. Total number of judgments	16,586	14,364	14,716	
5. Number of judgments by agreement entered into	8,058	6,981	7,577	
6. Number of alias writs of possession filed	7,830	7,198	6,920	
7. Number of alias writs of possession served	5,500	4,988	5,003	
8. Number of complaints filed with the Fair Housing Commission (FY)	301	386	404	
9. Number of calls received by the Tenant Referral Helpline		2,543	2,459	

Source: Philadelphia Legal Assistance, Philadelphia Fair Housing Commission, Community Legal Services of Philadelphia

ABOUT THE HOUSING SECURITY WORKING GROUP

HISTORY

CEO first convened the Housing Security Working Group in 2015 as part of its Shared Prosperity Philadelphia collective impact effort. The Working Group established shared tables for cross sector stakeholders dedicated to protecting Philadelphia's most vulnerable renters, and provided the early stage setting for collaboration that led to victories for renters. In 2017 when Mayor Kenney launched the Mayor's Taskforce on Eviction Prevention and Response, the Housing Security Working Group redirected its activities to focus on supporting the work of the Task Force. In 2018, the Task Force published The Mayor's Task Force on Eviction Prevention and Response Report and Recommendations. The Working Group resumed meetings in September 2018 with a new charge to support and coordinate implementation of the recommendations from the Task Force report.

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, six 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.

Members comprise more than twenty-five public and private sector agencies, as well as community residents and organizers.

HOUSING SECURITY WORKING GROUP MEMBERSHIP

Thanks to all of the members of the Housing Security Working Group, Eviction Prevention Steering Committee and other partner organizations that have worked together over the past year to help improve rental housing outcomes for those most in need. Your services, advocacy, knowledge, program development, research, outreach and funding support have made a difference in the lives of thousands of Philadelphia residents.

ACHIEVEability	Public Interest Law Center of Philadelphia
AIDS Law Project	Regional Housing Legal Services
Centennial Park CDC	Reinvestment Fund
Clarifi	Senior Law Center
Community Legal Services of Philadelphia	Shift Capital
Dechert LLP	Tenants Union Representative Network (TURN)
Fair Housing Rights Center in Southeastern Pennsylvania	UESF
Federal Reserve Bank of Philadelphia	Whose Your Landlord
Good Shephard Mediation Program	Witnesses to Hunger
HELP-Medical Legal Partnership (MLP)	City Council
Homeowners Association of Philadelphia (HAPCO)	Department of Licenses and Inspections (L&I)
JAMS	Department of Planning and Development
Legal Clinic for the Disabled	Division of Housing and Community Development
Liberty Resources	Fair Housing Commission
National Nurse-Led Care Consortium	Law Department
Pennsylvania Apartment Association-East	Managing Director's Office
Philadelphia Bar Association	Office of Community Empowerment and Opportunity
Philadelphia Housing Authority	Office of Homeless Services
Philadelphia Interfaith Hospitality Network	Police Department
Philadelphia Legal Assistance	
Philadelphia VIP	

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HOW YOU CAN HELP

- » Donate to PHLRentAssist at <https://phlrentassist.org/donate/>
- » Visit PhillyTenant.org (<http://www.phillytenant.org/legal-help/>) to stay up-to-date on latest policies – share the link with your friends
- » Join an action team or intern with CEO
- » Request a tenant or landlord workshop about eviction in your community
- » Advocate for more federal and state rental housing assistance or eviction record sealing
- » Conduct research on eviction and housing instability

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

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

