



SeniorLAW Center
Protecting the Rights of Older Pennsylvanians

Testimony before Council of the City of Philadelphia,
Committee on Public Safety

Bill Nos. 180741 and 180978

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Thank you Chairman Jones and members of the Committee on Public Safety for the opportunity to provide SeniorLAW Center's response to two proposed bills that will increase protections for Philadelphians at risk of displacement from their homes and will provide a remedy for residents who are victims of fraudulent leases.

At SeniorLAW Center, we protect the rights of older Pennsylvanians. We are the only nonprofit organization whose mission is dedicated to providing legal protection to Pennsylvania senior citizens. We provide free legal assistance to thousands of seniors each year, including victims of elder abuse and financial exploitation, elders facing housing crises and homelessness, and grandparents raising grandchildren.

In our work, we assist seniors whose homes have been invaded by trespassers who refuse to leave. These trespassers often pose dangerous and threatening situations for seniors. We also assist innocent homeowners and tenants who face being improperly removed from their homes despite having a legal right to remain. We encourage the creation of a process allowing those trespassers to be removed more quickly. At the same time, we have emphasized the need to carefully calibrate that process to ensure that it is not used to remove innocent seniors from their homes.

We support Bill 180741 because it meets two important goals: it ensures that criminal and defiant trespassers can be promptly removed from residential properties, and it protects legitimate occupants, victims of abuse, and victims of fraud against being improperly penalized. Without this bill's improvements, innocent Philadelphians risk being removed from their homes or charged criminally when they are rightfully in a property.

The bill governing criminal and defiant trespass enacted earlier this year needs the changes and clarifying definitions included in Bill 180741. There are numerous

circumstances where a senior has a legal right to stay in their home, but there is a danger that the senior would be treated as a criminal trespasser.

For example, seniors who lose their homes as the result of tax foreclosure may have a right of redemption under the law, but without Bill 180741 a purchaser of the property at Sheriff Sale could have a senior removed from the home and potentially arrested. Additionally, in the context of landlord/tenant relationships or instances of domestic violence, there is a danger that bad actors will make false affidavits to force seniors out of their homes quickly. SeniorLAW Center supports the bill's penalty for false statements.

We also support the protections for seniors who are the victims of lease fraud. There are times when a tenant will lease a property and begin paying rent. Months or years later, the innocent senior learns that the person to whom they paid rent did not actually own the property. While the true owners do have the right to remove victims of lease fraud, the innocent victims should not be treated as criminal and defiant trespassers. This bill helps address that problem.

The problem of lease fraud is also addressed by the other bill being considered today. Bill 180978 creates a way to sue the bad actors responsible for fraudulent leases. We support this bill as one part of a broader strategy to protect the innocent victims of lease fraud. It supplements the existing Unfair Trade Practices and Consumer Protection Law, which provides a similar right to sue the perpetrators of consumer frauds.

We look forward to continued work with you to make our city a safer home for our senior population and empowering them in their fight against exploitation and abuse. Thank you.