



SeniorLAW Center

Seeking Justice for Older People

Public Comment to City Council Housing, Neighborhood Development and Homelessness
Committee

Hearing on Landlord Tenant Eviction Officers

Bill # 240018

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Introduction:

Thank you for this opportunity to submit written testimony regarding the proposed Landlord Tenant regulations for Eviction Officers in Philadelphia. I am Rita Eichman, a staff attorney on the Tenant Rights Project at SeniorLAW Center. At SeniorLAW Center, we seek justice for older adults by using the power of the law, educating the community, and advocating on local, state, and national levels. We are the only nonprofit organization in Pennsylvania whose mission is dedicated solely to providing legal services to older people – and one of very few in the nation. We provide free legal assistance to thousands of older people each year, including victims of elder abuse and financial exploitation, older homeowners facing housing crises and homelessness, grandparents raising grandchildren, and older individuals facing undue or neglect in guardianship.

Our Tenant Rights Project provides representation and advocacy to tenants facing various Landlord-Tenant issues including eviction diversion, ejectments, Fair Housing Commission complaints and evictions.

Support for Proposed Regulations for All Landlord Tenant Eviction Officers:

Long before Philadelphia's Eviction Officers were thrown in the national spotlight for the shooting of tenants, during three separate evictions between March and July of 2023, Philadelphia's lack of oversight for Landlord Tenant Eviction Officers caused many problems for our clients.

Older tenants have faced a myriad of problems when lockouts occur. One older tenant we spoke with was unable to gather all his medications together when he was locked out after an eviction. After the lockout, he asked the landlord to let him back into the property to get his medications, but the landlord did not respond. This posed a serious danger to his health.

We often receive calls from tenants who are not represented by attorneys that have been locked out because they had no advance notice that an eviction was pending. One tenant we spoke with came home one day and had been locked out unexpectedly. It turns out that in February of 2022, the tenant had signed a judgment by agreement with a payment plan. The tenant did not

have a lawyer. The court judgment said the tenant could stay in the property if they paid according to a payment plan. The tenant was then served with a “writ of possession” in March of 2022 saying she had to be out in 10 days. The court authorizes writs of possession routinely to be served on tenants even if they are making payments as agreed under a payment plan and the tenants do not actually have to move at that time. Her landlord told her to ignore the writ because she was making payments. However, over a year later, in April of 2023, the tenant was locked out with no warning because she had supposedly been mailed an Affidavit of Breach – six months before the lockout. However, she did not receive it. That writ of possession filed against the tenant more than twelve months prior to the lockout was the last and only notice warning them of a lockout — hardly a warning at all.

Additionally, pets, which are very important for many of the older tenants we serve, have also been affected by these evictions. We have had cases where older tenants were locked out and their pet was locked in the home, with no food or water available for the pet. We also had one case where, when a tenant was locked out, their dog was removed to an animal shelter. When the tenant made it to the shelter to retrieve their dog, the dog had already been killed by the shelter. This was devastating for our client.

The incidents I described above are surely acts of violence, but not to the degree of the violence inflicted by the landlord tenant officer’s agents on several tenants last year. In response to these shootings, evictions were suspended until August of 2023. When evictions resumed, it was required that the eviction officers would have some additional training, that officers would perform the lockouts in teams of two, and that tenants’ attorneys would be notified weekly which of their clients potentially faced eviction with the date and time the lockout was scheduled. While these remedial measures helped, more measures are still needed to ensure transparency, accountability, and oversight to best serve tenants dealing with these potentially life ruining situations.

We applaud the sponsors of this bill for stepping in to address many of these issues by implementing the bare minimum of core training requirements that all Philadelphia Landlord Tenant Officers need to complete to maintain a license. This legislation sets a higher standard for these officers that will also give the City of Philadelphia greater accountability and oversight.

The training requirements of at least 189 hours of training consists of: 20 hours dedicated to professional development to be a better leader; 12 hours to civil law and process to understand the eviction process; 76 hours of social services training to help spot and quell potential “trigger” issues in an eviction; 60 hours of weapons training to ensure proper use of force; 21 hours of emergency services and first aid for a situation which necessitates the same. Additionally, the requirement of professional liability insurance minimums of \$2,000,000 per incident and \$4,000,000 per year payout reinforces accountability and oversight these Landlord Tenant Officers were previously lacking. We know that the violence the officers are capable of inflicting during a lockout can ruin or take a person’s life, something that is priceless. But when a victim of this violence does seek legal redress, it is critical that there be sufficient insurance coverage so that these victims may be able to receive appropriate compensation.

SeniorLAW Center stands here today strongly supporting this legislation. By setting a standard of acceptable behavior, we will ensure the process has the necessary oversight, transparency, and accountability that tenants, especially older tenants, deserve. I thank you for your time and consideration of this legislation and issue.