COUNCIL OF THE CITY OF PHILADELPHIA

COMMITTEE ON FINANCE

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, March 12, 2019
10:15 a.m.

PRESENT:
COUNCILWOMAN JANNIE L. BLACKWELL, CHAIR
COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILMAN ALLAN DOMB
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN DAVID OH
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILL 190086 - An ordinance amending Title 2 of The Philadelphia Code, entitled "City-County Consolidation," Chapter 2-300, "Property Assessment," by adding new language to Section 2-305, "Office of Property Assessment; Chief Assessment Officer; Powers and Duties," requiring that real estate taxes imposed by Title 19 of The Philadelphia Code, entitled "Finance, Taxes And Collections," Chapter 19-1300, "Real Estate Taxes," be levied on the assessed value of taxable real property as established for the immediately preceding stated year...

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COUNCILWOMAN BLACKWELL: Thank you very much. We will now call the Finance Committee meeting into order. We have a quorum present. To my right, Councilman Domb. To my left, Councilman Greenlee. To his left, President Darrell Clarke, and to his left, Councilwoman Blondell Reynolds Brown. And we thank him for sitting in.

We'll now ask the Clerk to read the title of the bill.

THE CLERK: 190086, an ordinance amending Title 2 of The Philadelphia Code, entitled "City-County Consolidation," Chapter 2-300, "Property Assessment," by adding language to Section 2-305, "Office of Property Assessment; Chief Assessment Officer; Powers and Duties," requiring that real estate taxes imposed by Title 19 of The Philadelphia Code, entitled "Finance, Taxes And Collections," Chapter 19-1300, "Real Estate Taxes," be levied on the assessed value of taxable real property

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as established for the immediately preceding stated year in any year in which the audit provided for under Subsection 2-305(2)(s) finds that overall property assessments in the City do not meet industry standards for accuracy, all under certain terms and conditions.

COUNCILWOMAN BLACKWELL: Thank you very much.

The Chair calls Rob Dubow, Director of Finance.

(Witnesses approached witness table.)

COUNCILWOMAN BLACKWELL: Before you begin, gentlemen, and we thank you both for being here, Rob Dubow, Brother Piper, thank you, we will call on Councilman Oh, whose bill we are considering, to make his statement.

COUNCILMAN OH: Thank you very much. I have a little bit of a lengthy statement. I think it's an important statement. So if you'll bear with me, I will go through it.

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We're holding this hearing because of unlawful, illegitimate property assessments and, therefore, taxation practices by the City of Philadelphia. It is not up for debate whether the City's property assessments were conducted properly for the tax year 2019. They were not. And everyone from the independent auditor hired by City Council to the City Controller will say so.

Take an article in yesterday's Inquirer, for example. To see how bad the situation is, it says Philadelphia must post detailed information on its website, according to law, about how it sets values for the City's 580,000 properties, but despite having been required to do so since 2011, it hasn't. Thus, a taxpayer has limited information about how the City arrived at an assessment or the value assigned to a property and used to calculate the real estate tax bill. That lack of

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transparency makes it difficult for a taxpayer to understand whether a value is fair and can create a disadvantage when filing an appeal.

The City's failure to meet industry standards and be transparent about its property assessment methodology are betrayals of the public trust. Add to that the fact that these below-standard assessments have yielded higher property tax revenues for the City and this is borderline criminal. To be confronted with the fact that this was an inaccurate assessment process with zero transparency that resulted in a significant increase in property taxes for residents, especially those in lower income neighborhoods, and then to say that we can't or shouldn't do anything to rectify the situation is wrong.

We can and must nullify these property assessments and use the 2018 tax year property assessments instead. The Law Department has issued a memo with

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several arguments about why we can't or shouldn't do this, several of which are faulty. I'll respond to their concerns now.

First, the Law Department says that, quote, "The change in the assessment base for tax year 2019 would mean that the lion's share of real estate taxes already paid would have to be recalculated and, in many instances, refunded in part. That practical problem aside, the change by Council in the formula for calculating the currently due taxes is not permitted by the Home Rule Charter," end quote.

This is a strange argument to make given that OPA has violated the law by not publishing its own formula. I'm sure I'm not alone in thinking that any practical concerns in refunding what taxpayers deserve is just the cost of doing the right thing. We shouldn't betray the public trust further because of logistical concerns.

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Second, the Law Department goes on to say that rejecting the 2019 assessments and reverting to the 2018 assessments would, quote, "make a mockery," end quote, of the requirement to enact a balanced budget prior to the start of the fiscal year.

I say that OPA's assessments make a mockery of the requirement to provide uniform, fair assessments upon which the City bases its tax revenue projections and, therefore, its budget. Besides, we have a budget surplus that would be able to accommodate any losses in this stolen revenue. All of this can be rectified in the coming year's budget or by using our current surplus.

The Law Department is incorrect in suggesting that returning money to taxpayers will leave us without money to balance the current operating budget. City Council's experts estimate that the amount the City could lose by adopting this ordinance would be in the

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neighborhood of $43 million, which is a relatively easy difference to account for given the scale of the City's budget. That money, however, makes a big difference to the residents who are rightfully entitled to it, not the City.

By the way, my office confirmed with the Board of Revision of Taxes yesterday that as of late February, only 2,000 appeals have been settled and heard thus far for tax year 2019. A whopping over 7,000 cases have not yet been settled or heard. It's March 12th. They will not be done for a very long time. Considering that the 7,000 people waiting for a hearing are paying last year's property taxes until their case is settled, I don't think we are all that concerned about expeditiously collecting 2019 property tax revenues.

Consider also that there are many people who have appealed but did not have the proper means to do so, whether due to income or time constraint. The

Law Department then hinges an argument on a minor technicality. They say that the audit performed by Council, while legitimate, would not meet the requirements of this bill because the auditing firm was not named by ordinance. The Philadelphia Code calls for Council to, by separate ordinance, name the firm to be engaged for this purpose. Therefore, I've met this minor concern by amending this bill to name JF Ryan Associates, Incorporated in the legislative findings of the bill.

Third, the Law Department points out that, quote, "The bill on its face does not apply to School District taxes," end quote. My office has worked with the City Council's technical staff to amend the text of the bill, not the title, to ensure that the bill no longer makes mention of Chapter 19-1300 of the Code. This is another small technicality that has been addressed by amendment.

Fourth, the Law Department

insists that property taxes must be based on current assessments and that any assessments other than 2019's would be improper to use. This to me would be a valid argument had OPA's assessments met industry standards and followed state law. Seeing as they demonstrably did not, I have no qualms with rejecting them. Perhaps if the City was so concerned with lawfully imposing taxes on residents, it should have followed the law in compiling the assessments.

Finally, the Law Department makes a claim with zero supporting evidence that the bill could raise concerns about uniformity. They write, quote, "To be sure, uniformity does not require the City to use inaccurate assessments, but uniformity likely would not allow us to discard assessments because of their alleged inaccuracy just to replace them with assessments that are less accurate," end quote.

They continue, quote, "It is

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very possible or even likely that the current year's assessments, inaccurate though they may be, are closer to accurate than the prior year's assessments," end quote.

There's no proof for this claim by the Law Department. The best argument they have is that it is, quote, "likely."

Rather than deal with hypotheticals such as this, let's focus on what we know for certain. This was a tragically unlawfully flawed assessment. This Council has taken action to evaluate its accuracy and identify errors to fix for future assessments. We have halted future assessments until they improve, but that still does not address the fact that homeowners have been saddled with unjustifiably dramatic property tax increases this year.

The only thing worse than the City imposing such burdens on its residents, which have caused many people to wonder if they'll be able to keep

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their homes and remain in the City, would be if Council were to reject the opportunity to do the right thing and not pass this bill.

In layman's terms, there are righteous thieves and unrighteous thieves, but they're just thieves. I don't see how we can continue to argue this point. The City acknowledges, the Council has found, the third party has said the assessments are below industry standards. They're just below industry standard. They are not legitimate assessments. They are 10.5 higher than the year before. To then say that there are minor technicalities or other reasons why the City should not reject these assessments and, therefore, these taxes, I can't imagine what that could possibly be, but for whatever reason, the City seems determined to hang on to money that it knows it cannot hang on to. Why is that the case?

And so, yes, we wouldn't have

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to have this hearing if the Administration would take care of this the way they're supposed to, but being that they have not, this Council is the check and balance on the Administration. We're going to have to deal with the improper assessments and reject the taxes for this year and, with that, ensure that the taxes are done properly.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you very much.

We thank our Councilman Oh for his statement and his presence.

And is there anyone else who would like to make a statement before we allow the Administration to testify?

(No response.)

COUNCILWOMAN BLACKWELL: We'll get to you, Madeline Shikomba. Thank you.

All right. Thank you very much. Mr. Rob Dubow and Mr. Michael Piper.

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MR. DUBOW: Good morning, Chair Blackwell, members of the Committee. I'm Rob Dubow, Finance Director. I'm here to testify on Bill 190086, which in the event that an audit of property assessments finds that those assessments do not meet industry standards for accuracy, it would require that property taxes be calculated on the assessed value of the prior year.

As Councilman Oh stated, the Law Department has advised us that the bill presents many legal issues. And I know you've all seen their memo, so I won't be arguing legal points, but I would like to take the opportunity to review the steps that OPA is taking this year to further improve the quality of the assessments and best reflect changes in the market.

While the City's property assessment system has made great strides since AVI was implemented, we've heard the concerns you voiced and raised in

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your audit. As a result, we've asked OPA's outside consultant to develop a set of recommendations to improve OPA's procedures. That consultant, Robert Gloudemans, is affiliated with the International Association of Assessment Officers, has over 40 years in the assessment field, regularly consults with other major jurisdictions and has worked with OPA for over ten years. He made 12 substantial recommendations around staffing and data needs, transparency, and an implementation plan. OPA has committed to adopting these recommended changes to improve its processes and ensure public confidence in the assessments.

The recommendations are as follows:

Establish a five-member sales validation team to validate both residential and non-residential properties;

Hire additional modelers with

expertise in data analysis, property appraisal, statistical methods, geographic information systems, and computer systems;

Appoint a team to undertake a project focused on assignment of construction grades and condition codes for all residential properties; critically examine the availability and consistency of commercial property grade and condition codes;

Designate a unit to be responsible for income data collection and screening and maintain that data in a standard format in a central repository such as the CAMA system;

Continue to refine spatial and proximity variables;

Maintain the flexibility to provide by current validation methods the transition to the CAMA system;

Routinely produce standardized ratio reports for internal review at critical points in the valuation cycle;

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Document and better explain the valuation process publicly. We expect to publish a document outlining OPA's assessment methodology later this week. And after OPA certifies the 2020 values to the state by March 31st, we'll be publishing a ratio study that examines how assessments compare to valid sales;

Develop an action plan and timetable and identify staff to ensure recommendations are implemented.

To allow OPA time to implement these changes and move forward with the CAMA project as scheduled, Mr. Gloudemans also recommended that OPA temporarily use a valuation methodology known as trending. So for FY20, OPA will conduct a market trending valuation, appropriately trending existing tax year '19 values by property type and geographic area in an effort to keep property values tied to the market while OPA adopts its recommendations. OPA will resume annual mass assessment valuations

when the above recommendations have been implemented. Property owners will still have the ability to file first-level reviews or formal appeals to the Board of Revision of Taxes during this period if they wish to challenge their assessments.

I believe the recommendations will further improve the quality of our assessments and provide more information to the public, and we are working to implement them as quickly as possible.

This concludes my testimony, and we're here to answer any questions you may have.

COUNCILWOMAN BLACKWELL: Councilman Greenlee.

COUNCILMAN GREENLEE: Thank you, Madam Chair.

Good morning, gentlemen.

(Good morning.)

COUNCILMAN GREENLEE: Mr. Dubow, I know you said you didn't want to comment on the legal aspect. I get that. Have you looked at all at the

impact that in your opinion, if the bill was passed, what it would have on our budget as we speak?

MR. DUBOW: I haven't calculated the exact dollar. I heard the Councilman's $43 million.

COUNCILMAN GREENLEE: So you haven't broken that down at all as far as possibilities?

MR. DUBOW: No.

COUNCILMAN GREENLEE: Okay. I know you talk about the recommendations you have here, and I guess I know the answer before I ask it, but because obviously there's a lot of concern out there that's generated this bill from the general public, and I guess we'll hear from a few today about the inaccuracies, unfairness, if you will, of the assessments at least with some people. Do you feel that these recommendations you say will address, if not all, a vast majority of those concerns and that we'll have a fairer system?

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MR. DUBOW: I do. We think that the system has gotten better each year and that this will kind of make that improvement even faster. So, yes, we think these will be really important steps to improve the system.

COUNCILMAN GREENLEE: Okay. I know a lot of people say it hasn't improved fast enough, but that's another question.

MR. DUBOW: Understood.

COUNCILMAN GREENLEE: Just, lastly, and I know you talk about the CAMA system, and we've heard about for a while, any day now the CAMA system is coming. Are you quite confident that this time -- I don't know if Mr. Piper can answer this better -- that the CAMA system is going to be implemented, and exactly when would that be?

MR. DUBOW: We are. It will be implemented in about a year, which is the same schedule we talked about last year. It's been on the same schedule for the

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last couple years. There was a hiccup maybe three years ago when a vendor we were working with decided to go to another jurisdiction, but since then, we've been on schedule. And I'll let Mike give you more details.

MR. PIPER: Good morning, Councilman Greenlee, Madam Chairwoman, and members of Council. I'm Michael Piper, the City of Philadelphia's Chief Assessment Officer.

As Mr. Dubow said, the CAMA issue has been one that can't happen fast enough for us either.

COUNCILMAN GREENLEE: I think we all agree with that.

MR. PIPER: Yeah. And you mention it can't happen fast enough. It's supposed to happen last year or a few years ago. The fact is, the fact that we don't have a CAMA system actually affects all the other processes that have been found by our consultant to be lacking in OPA, because the resources

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that a CAMA system would free up would allow us, for instance, to have something posted on our website in detail then a lot sooner, like they do in DC. And when we actually have the CAMA system, it's not just a system to automate what we do. It affects every part of our processes.

COUNCILMAN GREENLEE: All right. Thank you.

Thank you, Madam Chair.

COUNCILWOMAN BLACKWELL: Thank you, Councilman.

Councilwoman Blondell Reynolds Brown.

COUNCILWOMAN BROWN: Good morning. Good morning.

(Good morning.)

COUNCILWOMAN BROWN: Please, to the Commissioner of this department, where are we with regard to appeals? How far are we behind and what is the number?

MR. PIPER: So for the formal appeals that the Board of Revision of Taxes handles, for 2019 we've received a

little over 9,000, I think about 9,500, and BRT has gotten through, as Councilman Oh stated, about 2,000 appeals as of last week, leaving about 7,000, 7,500 still open. In terms of the first-level review or informal appeals, we received about 20,000, and we have processed all but about maybe 1,500.

COUNCILWOMAN BROWN: So pause there for a moment. When you say 2019, does that include documents that were left at the department in 2018 for 2018 appeals? Where are we with 2018 appeals?

MR. PIPER: The 2018 appeals for the most part I would say we're about 95 percent finished, except for the number of appeals that are being stayed because they're part of the commercial lawsuit against the City of Philadelphia. Those are in limbo right now because they have to be addressed through other means, through the lawsuit.

COUNCILWOMAN BROWN: So the 5 percent is a part of that commercial

lawsuit?

MR. PIPER: No. I say besides those that are part of the commercial lawsuit, there's about 5 percent still hanging out there.

COUNCILWOMAN BROWN: And so do they fall in any particular category or they are just based on when they arrived at the office?

MR. PIPER: They would be all property categories.

COUNCILWOMAN BROWN: Forgive me?

MR. PIPER: All property categories.

COUNCILWOMAN BROWN: All property categories.

So what is the protocol when a citizen brings in an appeal process and leaves it with a conscientious staff person at the reception desk? Because not all of them are that. I intentionally have delivered appeals on behalf of citizens just to see how people

are treated. And so what are the protocols?

MR. PIPER: So if a taxpayer brings in an appeal, a formal appeal, to the OPA that is meant for the Board of Revision of Taxes, we can either direct them back to the BRT's offices, which are right down the hall from us, or we can forward it, but we have to try to make sure that communication then is between the taxpayer and the Board of Revision of Taxes, because the Board has deadlines that they have to adhere to.

If the taxpayer brings in the first-level review, then we can speak a little bit more coherently about the deadlines and what the process is, but we'll accept it as timely filed as long as it's filed within the window of opportunity that we provide after we send out the notice of change.

COUNCILWOMAN BROWN: So are time stamps -- time stamped a part of the protocol or no?

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MR. PIPER: They're not part of OPA's protocol for accepting first-level review because the first-level review applications are, as per the instructions on the notice, to be mailed to an outside P.O. box in which the vendor actually picks them up and processes them.

COUNCILWOMAN BROWN: I see. And should citizens receive copies of the documents that they leave or can they be assured that once they drop off those documents, they will find their way to the appropriate professional in the department to process those documents?

MR. PIPER: Yes, Councilwoman. What happens is, we send the taxpayer notice saying essentially we've received your first-level review application and are processing it.

COUNCILWOMAN BROWN: Okay. So then I should take it as an anomaly that the woman who opened the door, I handed it off to her and she just walked away, I'm like do I get a receipt? Do I get

anything that says I officially dropped this off?

MR. PIPER: Again, because of the process, if you ask for a time-stamped copy, if you specifically ask for it, we will provide it. Our customer service unit is prepared to do that, but --

COUNCILWOMAN BROWN: So it's not a protocol then?

MR. PIPER: No.

COUNCILWOMAN BROWN: One has to ask for it?

MR. PIPER: Right. Because as I said, typically, as per the instructions in the process, those first-level review applications are mailed in to an outside P.O. box.

COUNCILWOMAN BROWN: Okay. So you're 95 percent finished with all appeals that have come in from last year and up to March 1?

MR. PIPER: Not for 2019, but for tax year 2018.

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COUNCILWOMAN BROWN: For tax year 2018.

MR. PIPER: Yes.

COUNCILWOMAN BROWN: Got it. Okay. Okay, then. For the three families where I dropped that off, I will give them a call to see if they indeed have been before your staff or board over there and circle back if they have not, if they're part of that 5 percent that's not done yet.

MR. PIPER: Okay. And you can always have them e-mail me or call me directly and we can find out. That is pretty much the communication I'll have with someone during the week anyway. That's not a problem.

COUNCILWOMAN BROWN: Okay. Thank you.

MR. PIPER: You're welcome.

COUNCILWOMAN BLACKWELL: Councilman Oh, then Councilman Domb.

COUNCILMAN OH: Yes. Thank you very much.

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I have numerous examples. You do too. For people who can't see, these are pretty much identical houses on a street in Philadelphia, two stories. The market value in 2018 for the house on the left was $99,600. The house on the right the market value was $89,200. And then this year the house on the left the market value went from $99,600 to $363,400. Triple. Whereas, the house next to it went from $89,200 to $88,600. I mean, they are identical. Identical. Identical houses. They look like they're worth about $100,000 to me. And I imagine the people in the house cannot pay $363,000, $363,400 in property taxes. They're probably on a fixed income. And so while the City is working on fixing the process, they got to pay the taxes or they lose their house. That's not just true for this year. It's been true for every year. Every year we have had the same discussion. I think we're going to have the same discussion at budget time,

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and the question is, what do you need? What needs to be done? There's slots that aren't filled. Do you have the software? Do you have the technology that you need? And this is an Administration problem. I know we have a Chief Assessment Officer. I don't think it's his fault. I think it's the fault of the Administration, because the Administration had every opportunity to fix this and we still have no published formula. We've been asking for a published formula. I've asked in 2014, '15, '16, and '17. I finally said I don't think there is a formula. So that's not legal.

The issue that we're dealing with is that you don't want to give the money back. I don't know why you want to keep the money. You got a $5 billion budget this year. Why won't you give the money back? Do you think you're supposed to keep this money? You're not. It's fundamentally flawed.

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I will say me personally, and you can respond, you've been here too long. I started out as an Assistant DA. I've done criminal defense. The thing about criminals, they can't seem to understand that they don't have a right to somebody else's money. And there's no greater sinner than the righteous sinner. They always figure they got something better to do with your money than you.

No one can argue that the assessments are incorrect and inaccurate, whatever the reason, and I hope it gets improved, but right now they're inaccurate, and they're hurting a lot of people.

We don't have an assessment of 2018. I think that would probably show the same result, that it's flawed too, but we do have one for 2019. And since we have one for 2019 that says the assessments are inaccurate; therefore, the taxes that people are having to pay right now are inaccurate, they are

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incorrect.

Whatever you're planning to do with this money, you can't keep it, and there's going to be a lot of mumbo jumbo, and I know there's not a lot of people in this room, but there's a lot of people watching this process. They will know this process. They care deeply about this process. They're about to lose their homes or they have lost their homes. They're at their wit's end. Don't be deceived. This is a room full of people, and they want to know if the government, their government, is going to do the right thing.

The government cannot do the wrong thing bold in front of everybody and just start stealing people's money, because if it does, then we have no faith in anything the government is doing. How will the government, when it's stealing people's money and property, claim to regulate DHS, the police, other entities? How do we know that the government just

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doesn't have a better plan for us, our children, our homes, our businesses?

You cannot possibly say that you're going to keep this money and you're not going to look at the fact that the assessments are wrong, and the Councilpeople can't possibly table this in good conscience. It's wrong. Everybody says so, even Council's own independent audit. The Mayor agrees. He's put a freeze on it, but he's put a freeze on it while all these people with incorrect assessments are being put out of their homes.

Well, that's what I have to say. Thank you.

(Applause.)

COUNCILWOMAN BLACKWELL: Councilman Domb.

MR. DUBOW: So I obviously strongly disagree with many of your characterizations.

COUNCILMAN OH: Oh, my goodness. How can you --

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MR. DUBOW: I let you talk. Can you let me talk now?

COUNCILMAN OH: Yeah, I'm going to let you talk.

MR. DUBOW: Please do.

So we do our own analysis of our assessments, right, that shows that they fall within industry standards. If you actually looked at the details of the Controller's audit, it showed improvement every year and it showed that the last year, the coefficient of dispersion was right at industry standards. We are going through steps to improve the process to make it even better. So I just disagree with your characterization.

People can appeal and do appeal their assessments. Because of legislation that Council enacted, they pay their old tax while that appeal is being heard or waiting for it to be heard. We have a number of relief programs that we've put in place to help people pay their taxes. So there are a

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number of steps we've taken.

COUNCILMAN OH: Are you finished?

MR. DUBOW: I am.

COUNCILMAN OH: Listen, I have great respect for you and for Michael Piper. I do. I have a job to do. You have a job to do. But at the end of the day, what I like about our military is they don't swear an oath to the President. They do to the Constitution. Your oath is not to the Mayor or this Administration. It's to the Constitution and to the people. You are bold-faced saying continuously that the system is being improved, but it's not accurate. You're talking about coefficients that haven't been published, haven't been published, aren't published. And you're talking about the fact that you find something different and acceptable when an independent audit has found that it is not and the Mayor has halted the process, halted it at 10.5 percent above on a

citywide basis the last set of assessments. It's indefensible, Rob. Indefensible.

MR. DUBOW: The coefficients actually are published. They're published in our Five Year Plan. We also submit our assessments to STEB, the State Tax Equalization Board, and that has also shown improved accuracy over time. I think we were at, what, 98 percent in the latest report?

MR. PIPER: Over the past year, yes.

MR. DUBOW: Right. So that's not us. That's an independent look at our numbers. So there are outside validators of what we do.

COUNCILMAN OH: So you're just not going to acknowledge the 7,000 appeals, the many examples of lack of uniformity, inconsistency, triple the assessment values right next to another house that has been lowered? You're not acknowledging any of that?

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MR. DUBOW: We are acknowledging the appeals. We're acknowledging that out of 340,000 changes, there were 9,500 appeals, and they all go through the appeals process and they have the ability to pay their old taxes until those appeals are resolved. We're also acknowledging that the system can be improved, which is why we're taking all of the steps that I outlined in my testimony.

COUNCILMAN OH: Are the 2019 assessments accurate?

MR. DUBOW: They are -- our analysis says they're within industry standards, yes.

COUNCILMAN OH: Are you accepting the independent audit?

MR. DUBOW: So we think that and we wrote -- you saw it. We wrote a response to that audit. We think there were flaws with the audit. We also think, though, that it raised some legitimate concerns, and that's why we're

going through the steps we're going through to improve our process.

COUNCILMAN OH: So you oppose the bill?

MR. DUBOW: Yes.

COUNCILMAN OH: Okay. Thank you.

COUNCILWOMAN BLACKWELL: Councilman Domb.

COUNCILMAN DOMB: Thank you, Madam Chairwoman, and good morning.

(Good morning.)

COUNCILMAN DOMB: I just want to make sure I have all the facts on the table. So I just want to start out by -- my understanding is, there were 128,000 properties that were reduced in market value, and I thought it was 370,000 that were increased in the last assessment. Is that accurate?

MR. PIPER: 128 that were reduced or saw no change, correct. The majority of those saw no change.

COUNCILMAN DOMB: And then

370,000 were increased, roughly?

MR. PIPER: That's about right.

MR. DUBOW: That's about right.

COUNCILMAN DOMB: And then where we sit today, because we have that briefing on Friday, I thought the numbers were like 9,500 are still -- is it a first-level review?

MR. DUBOW: There were 9,500 appeals to the BRT. There were 20,000 appeals.

MR. PIPER: About 20,000 informal appeals, yes.

MR. DUBOW: And all but 1,300 of those have been resolved one way or the other.

COUNCILMAN DOMB: So 20,000 people raised their hand and said I have a question on my taxes and now you're down to 9,500?

MR. PIPER: No. 20,000 -- there's 9,500 BRT appeals, 20,000 informal appeals, and technically they're independent of each other, although some

file both, but of the 9,500, there are about 7,000 of those still left, and of course those are the ones that tend to be addressed after we've addressed a lot of the informal appeals. Out of that 20,000, about 1,300 are still outstanding.

COUNCILMAN DOMB: So would you say in general that we need to still address 1,300 of the first-level appeals and about 7,500 in total, so 9,000 people we need to address basically?

MR. PIPER: Correct.

MR. DUBOW: Correct, unless there's some overlap between the 1,300 and the 7,500, yes.

COUNCILMAN DOMB: And for those 9,000 people, this is like a nightmare because they feel they're overpaying, which Councilman Oh is referring to, but in the big picture, if --

MR. DUBOW: They have the ability to pay their '18 taxes while they're under appeal.

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COUNCILMAN DOMB: Right. The big picture is still less than 3 percent have appealed the tax increases in the big picture.

MR. DUBOW: That's right, to the BRT.

COUNCILMAN DOMB: Right. I mean, I kind of feel all this stuff that's been going on about OPA and the audits was brought on because the increases were so dramatic, 10 and a half percent, and if we had over the three- or four-year period just increased 2 percent a year and kept up with the market, we might not have seen this flurry of activity of people getting very upset. Because to have an increase of 10 and a half percent on average of assessments is kind of like a tax increase of 10 and a half percent. It's the same thing.

And here's the other question I have for you: Our budget for OPA is 14.6 million. The real estate we manage valued maybe as of two years ago was $170

billion, 170 billion. To give us some context, the two largest development companies in the City manage between 5 and 10 billion. Our budget is 14.6 million. I guess my question is, are we managing our resources of the 14.6 compared to the value of the real estate we own, and how does that compare to other cities and are we allocating enough dollars to manage this portfolio correctly?

MR. DUBOW: Yeah. So one of the things that you'll see in the '20 budget is some additional resources for OPA to make sure there's enough resources to have the Independent Validation Unit to have more modelers and to get some outside help with data purification. So we think that will all help, and we think with that we'll be actually for staffing at industry standards.

MR. PIPER: That's correct. Just to kind of to your point, Councilman Domb and something Councilman Oh said, I

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think a lot of the problems that the consultant, our own consultant, pointed out, it's not the OPA or the Chief Assessment Officer or the Administration. It's resources. It's resources that don't affect the department independently. The lack of resources, as I said, about -- but it's not just CAMA, but it's the modeling and the problem with some of the data. All of those things tend to increase when we have the resources to improve each one of them.

COUNCILMAN DOMB: So I guess in general I'd like to see us if we have some sort of an informal survey of maybe the top ten cities and how they're allocating their portfolio in relationship to their budget. I would be curious as to where we stand and if we can figure out what they're doing best in best practices that maybe would be of help to us.

MR. DUBOW: Yeah. We can do that.

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COUNCILMAN DOMB: Thank you. Thank you very much for your testimony.

Thank you, Madam Chairwoman.

COUNCILWOMAN BLACKWELL: Thank you.

More questions?

(No response.)

COUNCILWOMAN BLACKWELL: More comments on this bill?

(No response.)

COUNCILWOMAN BLACKWELL: Okay, gentlemen.

We'll call our next panel to testify. Linda Colwell-Smith, Vice President, Holme Circle Civic Association; Magali Sarfatti Larson, Vice Chair, Woodland Terrace Homeowners Association; Madeline Shikomba, North of Washington Avenue Coalition; and Marnie Loughery, constituent.

(Witnesses approached witness table.)

COUNCILWOMAN BLACKWELL: Thank you for being here. You may begin your

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testimony in any order. Just identify yourself for the record, if you would. Thank you.

We also have written testimony from Bonnie A. Pugh, Esquire, homeowner. And that will be made part of the record.

Thank you. Identify yourself, whoever would like to start.

MS. COLWELL-SMITH: Good morning. My name is Linda Colwell-Smith. I am Vice President of the Holme Circle Civic Association. Holme Circle Civic is a medium-sized group. We're located in Northeast Philadelphia in the general vicinity of Nazareth Hospital from, I guess it would be, Holme and the Boulevard over to Holme and Academy and two miles either side of that.

Why I'm here today is, this legislation is important to my members, and as I note in my written testimony, the hottest topic at any of our meetings, regardless of whatever speaker we bring in, is property taxes, how they've gone

up, how unfair they are, and we're paying more, getting less in City services. I mean, my members know when they come to one of our meetings it's safe to say whatever they want, and they do. I mean, when we have our meeting in two weeks, I'm going to hear about these two. They're notices of an increase in the gas cost and also in the electric, and I got these in my bill yesterday. So I know we're going to hear about this as well. But it's not our topic this morning.

Our civic's members are mainly senior citizens and families, families with a lot of kids actually. The focus on property taxes is very understandable and every other tax, because every penny counts for these folks. And our members do, for the most part, pay their property taxes on time and in full, but they do not want to pay anything, any tax that they think is unfair, inaccurate, especially when it comes to their property taxes. And that's why we are

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supporting this bill, which would amend title -- well, we know what it would do. It would amend The Philadelphia Code to require that the assessments reflect the proper industry standards. And we agree.

Why should property owners have to pay a higher assessment if the process which generated this increased tax violates the City Code and could lead to an inaccurate tax bill? Our members would not want to pay such an unfair assessment, especially if they do not understand how it was generated. They read the Inquirer. They saw yesterday's story and any other previous story. So paying this year's -- this previous year's property tax is an acceptable alternative.

On behalf of our members, neighbors, and homeowners, the Holme Circle Civic Association urges the passage and enactment of Bill No. 190086. It's all about the optics and about folks and their money. I know we're going to

hear about it, and I know my members will be very concerned about this bill.

Thank you very much.

COUNCILWOMAN BLACKWELL: Thank you.

All right. Let's continue.

MS. LARSON: I'm Margarita Larson, also known as Magali Lawson. I thank you very much, Mrs. Blackwell --

COUNCILWOMAN BLACKWELL: Thank you.

MS. LARSON: -- Councilpeople, for this opportunity.

I just have an example to add to the erratic nature of the property assessments. I made a statement. I will not take your time uselessly, and Councilman Oh had a more powerful case to present, but our case is interesting to illustrate what the property assessment does wrong, because we have a very unitary block. Councilwoman Blackwell knows it well. All the houses are the same, except the corners. They were

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built in 1860 by a developer and an architect. They're very old, very hard to maintain. So property taxes, as she said, are very significant.

Now, what happened this year is that the property taxes went up for only two of the identical units. For the others, they went down. So I explained in my statement that they are on the -- they are identical units, and you have the pictures in front of you, and they are five twins on the odd side, six on the even. That's 22 properties, which take the corners out. As I showed in the picture, they're much larger lots and they are different. And we should also -- and that means four corners off. And we should also take the three single-family units out, because they are, for a reason that escapes me, valued much higher than the multi-family and the commercial properties. So we end up with 15 identical multi-family twins on the street. And I showed you the pictures of

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my twin and that across the street that belongs to Mrs. Daniels to show how identical they are. They're all multi-families. Their houses are too big and we rent them.

So what happened this year is that 80 percent of those 15; that is, 12, were reduced by 2.76 percent. Whereas, two of them, Mrs. Daniels and our house, were increased by 56 and 55 percent. That was modified. We were notified three days before the BRT hearing, which has not yet given its results. So we were finally increased by 20 percent, and it's still not uniform and still unacceptable.

So I just wanted to bring that case and to explain that we really feel we do a lot to maintain those houses and to remain in that neighborhood with a tremendously powerful neighbor that pays no taxes -- I don't have to name it. It's University of Pennsylvania and all the hospitals. They have an enormous

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amount of land and they expand aggressively. They pay no taxes. So it's a great effort to maintain that neighborhood, and we feel that the City is punishing the inhabitants that do a lot to stay in it and sustain it.

Thank you very much for your attention. We support this bill, of course.

COUNCILWOMAN BLACKWELL: Thank you.

MS. SHIKOMBA: Hi. Madeline Shikomba, North of Washington Avenue Coalition.

You know, it's an affront to me to come in here --

COUNCILWOMAN BLACKWELL: Identify yourself first, Ms. Shikomba.

MS. SHIKOMBA: Madeline Shikomba. Can you hear me?

COUNCILWOMAN BLACKWELL: Yes.

MS. SHIKOMBA: Am I too close to the mic? That's better?

COUNCILWOMAN BLACKWELL: Yes.

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MS. SHIKOMBA: Oh, okay. I'm sorry.

Madeline Shikomba representing North of Washington Avenue Coalition.

It's an affront to me to come in here and speak to City Council and find you doing other things than listening to us. I mean, it's really -- I'm sitting up here watching you. I mean, why are they coming in here if you're going to be doing other things than listening to what we got to tell you? I'm really upset with that.

Anyway, let me get back to my testimony.

One, I sent some things in. You might not understand what they are. Everybody has got them who is in here.

Turn to the page that says 500 Regatta Drive. You have that in front of you? This is an abated property. It sold for $436,420 in May 2011. From 2013 all the way up to 2018, the assessment on this property was $405,500 at the most.

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2019 they finally jumped to $445,000, and it's abated. Exempt improvements, $378,250. I'd like to know why this property was never assessed at its full market value from day one in 2011. Why? I guess so because, as Mr. Oh pointed out, they too busy tapping into poor folks' homes and raising them ridiculously high that they can't get to these rich folks who could afford to pay their doggone taxes. And this is throughout.

You know where this property is at? It's in my neighborhood, Graduate Hospital area. And you think this is one? This is one of many condos in the neighbor home off of Grays Ferry. There must be at least 500 condos in there. And if you were to check all them, they are all under-assessed, under-assessed, not over.

Another property in my area, Lombard Street, I sent that to you too, 2100 block of Lombard Street. And

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another thing under-assessed. I'm glad Mr. Oh pointed out to you about overassessment in the poor neighborhoods, but the neighborhoods that should be paying their taxes are getting under-assessed. Now, you tell me what's going on with OPA. I even highlighted some of them for you. I won't go through them for you. You can check them out yourself.

These properties on Lombard Street are over millions of dollars, and if you were to go up on their property tax, they'd be down here screaming bloody murder, because you know why? They are assessed at maybe $500,000, $600,000 when they should be assessed at a million. So if you try to jump to a million, what? You qualified them for LOOP. And don't tell me, oh, they too big, they won't qualify for LOOP. Are you kidding? They got too many scams going. They'd put a kid name on there or whatever name they want and still qualify for LOOP, because

you ain't got nobody in Revenue to keep up with what's going on in LOOP in the first place. That's why they get away with it.

I asked you not to pass the LOOP bill when I was here the last time, but you wouldn't listen. You said 150 percent. They should have left it at 300 percent, because in order to reach the actual value property on some of these properties, you're going to have to go up 300, 400 percent. Otherwise you'll be for years trying to reach that million dollar level.

This bill has got to be passed. You've got to cease this stuff. Otherwise you're letting people get away with not paying the taxes that they should be paying. And I mean my whole area is loaded with this mess. This is just an example of what's going on in my area, the affluent area they call it, of not paying their taxes. And then you go over here to these poor folks and want

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them to pay for what these affluent people are not paying.

I'm sick of this stuff. I told you time and time again. Also on this LOOP bill, you need some kind of penalty. The penalty is that these people who some of them -- and they rich folks, who gonna be qualifying for LOOP, especially in my area on Bainbridge Street, because they meet that 150 percent level. They gonna try and go on forever, to the next generation, to the next generation, next generation the way you have it written. All they gotta do is put somebody name on the doggone deed. Maybe a kid's name. And then when they come down when they die, they don't educate that the person who was recently on it is dead. Oh, his name is on there. Go to the next one.

You got to have some kind of penalty. So if these people when they get caught, if they ever get caught, has to pay the City back all of the taxes that they supposed to pay in the

beginning. That's why I'm looking for a penalty on.

I'm sick of you people passing these bills. Maybe it's because it's election year that you're doing this crap? You got to stop doing this mess. I'm so sick of it. I'm tired.

I didn't come here prepared with a written statement. Why? Because I didn't know what I was going to say. Okay. I just got up here and started talking, because I am so tired of this crap. And then you didn't even listen to me when I talked to you about a week ago about the LOOP bill. You passed that. Now you're going to have to clean up that mess, because the City is gonna be losing millions of dollars on properties that are worth millions of dollars but being assessed way below the actual value. You losing millions already because of OPA. And I showed you, 2013 these properties under-assessed. And now in 2019 and they still under-assessed.

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MS. LARSON: And the others are overassessed.

MS. SHIKOMBA: Yeah. And the others are overassessed. What the hell is going on around here?

My mom had a statement saying, if you ain't lying, then you're flying. And since you ain't flying, they lying. Okay?

MS. LARSON: I would like to add something, if Mrs. Blackwell.

MS. SHIKOMBA: No, no. Go ahead.

MS. LARSON: I didn't say one thing, which struck me at the BRT hearing as so incredible that I couldn't speak, which doesn't happen too often. But at the BRT hearing, we were confronted with comparables. Until then, we thought that uniformity applied to this block. That is uniform. It is supposed to be some sort of architectural landmark because it's all the same, right? So it's a good case. Well, so the assessors brought out

comparables, and the comparables, as I pointed out in my statement, have larger lots, are five blocks away where there are fewer students, which makes it more desirable, et cetera, et cetera. However, the logic is that if you have comparables, they apply to the whole block. And 80 percent of the properties with the same comparables were reduced. For us, two of them, 20 percent, were increased, increased by 20 percent. After reduction, after first-level appeal, 20 percent is above the median.

So I wanted to point out that they used the comparables in the weirdest and most erratic way that as a teacher of sociology, I would never have accepted.

Excuse me for adding this.

MS. SHIKOMBA: That's all right.

COUNCILWOMAN BLACKWELL: Thank you, Ms. Larson.

MS. SHIKOMBA: That's fine.

Can I finish now?

Also, you must pass this bill. Our schools are suffering because of the lack of real estate taxes being obtained, and we're going to suffer even more. Five, ten years -- when you passed this LOOP bill, you made it so that people would not have the -- which I helped pass. I did not deny it. But that was because my property went up a thousand percent. You told these people they go up 150 percent. Now, once they get on LOOP, what happens? They are frozen in that LOOP amount. So they haven't been paying their assessed amount in the first place, so now the amount is frozen and how many years that gonna go on? I don't know, but if you don't pass this bill, you gonna be in serious trouble on collecting taxes, because these people won't be paying the taxes and the assessment keep going up to a million dollars, but they won't be paying taxes on a million dollars. They paying, what, 650,000 for how many years, 10, 15 years?

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I told you what the problem was with LOOP when I came here.

Also I'm telling you now, the time OPA has with this LOOP bill, if they go up more than 150 percent, which they have to in order to bring these things in line with what's going on, they gonna have to go up 200 percent, maybe even more, because so many of these properties are under-assessed, especially in my area.

Now, in my area that's going on. Can you imagine what's going on in Queen Village? You need to look at some of these affluent areas, Rittenhouse, all them areas, all these abated properties that are being under-assessed, abated properties being under-assessed. Why are they under-assessing these abated properties? They ain't paying taxes anyway on an amount. Are they? I don't think so, because it's abated. I told you about Regatta Drive. Give me a break. I'm tired of paying taxes. You

know, I'm on the LOOP bill. Yeah, I'm on the LOOP, but I told you before, you should have left it the way it was so you give OPA the chance to correct these values on under-assessed properties and to correct the values on those who are overassessed.

Please pass this bill, because you gonna be in trouble come five years from now when these properties are million dollars and you ain't collecting nothing but a few hundred thousand dollars of assessed market value.

Thank you.

COUNCILWOMAN BLACKWELL: Thank you. Thank you very much.

Thank you all very much. We have now Cora Turpin who wants to testify.

Is there anyone else who would like to testify?

(No response.)

COUNCILWOMAN BLACKWELL: Cora Turpin. Thank you very much.

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(Witness approached witness table.)

COUNCILWOMAN BLACKWELL: Otherwise, this will be the last person to testify on our bill.

Thank you. Good morning. Please identify yourself for the record and begin your testimony.

DR. TURPIN: I'm Dr. Cora Turpin. I live in Northern Liberties.

I would support this bill and any bill that will stop some of the costs of this AVI.

I am living in a neighborhood where they are now building million-dollar homes. For those of us who used to be middle class and are retired on fixed income, even an actual assessment of our property taxes which will go up and have gone up every year because of the expensive buildings that are in our neighborhood. Developers are getting tax breaks not only on building new buildings, but are also on renovating

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old buildings. So that none of our neighborhoods is safe from the increase of taxes.

I am a part of the concerned senior citizens of Philadelphia. We are on fixed incomes. Some of us have been on fixed incomes for 20 years, and those of us who live in these areas that are impacted by the AVI, such as the River Wards, Northern Liberties, Grays Ferry and now other parts of the City, are finding it extremely difficult to meet our tax burden along with our medical burdens.

I have asked since September at every hearing I can get to to freeze the AVI for people 65 and older. They're not employable anymore. They can no longer increase their income, and that little 2 percent they give you perhaps on Social Security is not going to cover anything.

I would like to remind our Councilpeople that the stress of losing your home and becoming homeless when you

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are a senior citizen can be so overwhelming as to cause your demise. You already have a guy here almost every Council session who has been complaining about you taking his home, what, 25 years in Logan. You've almost driven him to the brink of insanity, because the stress of losing your home is that great.

I am asking again to freeze that AVI, regardless of income, for people 65 and older. Like I said, even when you get it right, it's going to go up every year. Developing costs never go down, because if they do, the business people stop building. People on fixed incomes cannot absorb those increases.

I would appreciate someone bringing this to a hearing of the communities so you can better understand the hardships you are causing your older citizens and, quite frankly, eventually yourselves, because no matter what your income is today in '19, in 20 years it will not be worth a lot. The attrition

and the amount of money that you have to pay for things is going to go up so greatly that your buying power is going to greatly decrease whatever you're making today. I have seen it happen. It is happening to my people in my neighborhood. They have gone from a tax from under a thousand dollars and now they are being charged $8,000. They're old, unemployable, and they're living on the edge of losing their homes.

Thank you for your attention, and I certainly hope to see some very positive action in this direction.

COUNCILWOMAN BLACKWELL: Thank you very much. We thank you, Dr. Turpin, for your testimony.

Is there anyone else to testify on this bill?

(No response.)

COUNCILWOMAN BLACKWELL: We thank you very much.

We are going to enter into our stated meeting and conclude our hearing.

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Give us one moment.

(Brief pause.)

COUNCILWOMAN BLACKWELL: All right. The Chair will call on Councilman Greenlee for a motion with regard to the amendment to Bill No. 190086.

Hold on until we try to get us our quorum. Thanks.

(Brief pause.)

COUNCILWOMAN BLACKWELL: Bill No. 190086 will be held to the call of the Chair.

(Committee on Finance concluded at 11:20 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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