COUNCIL OF THE CITY OF PHILADELPHIA

JOINT COMMITTEE ON LICENSE AND INSPECTIONS

AND PUBLIC SAFETY

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, June 20, 2012
10:22 a.m.

PRESENT:

COUNCILMAN CURTIS JONES, JR., CHAIR
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILMAN BOBBY HENON, VICE-CHAIR
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

RESOLUTION NO.: 120179

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COUNCILMAN JONES: Good morning. Sorry for the delay. This is a hearing with a Joint Committee of L& -- Licenses and Inspections and Public Safety.

Will the Clerk please read the resolution and title of that Resolution.

THE CLERK: Resolution 120179, authorizing the City Council's Joint Committees on Licenses and Inspections and Public Safety to hold hearings on the issue of negligent landlords, problem rental properties and their effects on the surrounding community and in furtherance of such investigation, authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

COUNCILMAN JONES: Thank you. And joining me are Councilwoman Tasco, Councilman Henon. And to my right, Councilman Greenlee and Councilwoman Blackwell. And I would like the offer of the Bill to begin with a opening statement.

COUNCILMAN HENON: Thank you, Mr. Chairman. The purpose of this meeting is to start to understand some complex issues. I know that some people are not happy with the approach that I'm taking, but the time has come for bold aggressive action.

I grew up in Northeast Philadelphia. I have lived there my entire life. I have watched some of the neighborhoods where I grew up totally deteriorate. I believe that these problems start small. One neglected property triggers a domino effect. The neglected property leads to a neglected block. One bad block can bring down a neighborhood.

It has been hard for me to see my old neighborhoods fall into despair. And from what I have been hearing from my constituents, and I am not alone, in a few months that I have been in office, I have already heard from hundreds of Philadelphians who are eager to see a turnaround. The fact that these problems start small means that they can be addressed.

Understanding the problem properties is the first step in eliminating problem properties.

It is the objective of this Hearing to discuss on record the outline and scope of the problems as we see from many different points of view as possible and a vision and a plan on how we move forward. This problem has num -- a number of different stakeholders, landlords, neighbors, community groups, elected officials, advocacy groups and the City.

In an effort to be efficient, some witnesses have been asked to only submit written testimony. In addition, I would ask the Chairs of this Joint Committee to direct witnesses to quickly summarize written testimony and focus instead on answering questions and providing concrete specific recommendations for how we can address quality of life issues in residential neighborhoods.

The landlords that were asked to testify here today, asked to testify based on a history or a pattern of problem or property violations, tax delinquencies and calls to my office. Subpoenas were issued for all four landlords on our witness list today. Two of the landlords appeared today -- appeared today. And I want to

say for the record they have been patient and eager to address concerns and issues. I look forward to starting a conversation with them today and continue the conversation over the next few months.

Two of the landlords that were subpoenaed are not here, Walter Ulatowski and Edwin Bass. The service company was not able to locate Walter Ulatowski. There is a memo explaining steps used to find Mr. Ulatowski in each Members' packet.

In addition, Mr. Bass failed to appear despite being served. His attorney contacted my office. His letter requested that Mr. Bass be allowed to testify at a later time is included in each Members' packet. While I'm willing to work with Mr. Bass and his attorney, I would ask that the Chairs of this Committee direct the Law Department to hold Mr. Bass accountable for failing to appear and enforce the subpoena to compel him to appear.

I ask the Chairs of this Committee to recess this Hearing instead of adjourning it so that when we not only compel Mr. Ulatowski and

Mr. Bass to appear at a later date, we can add additional landlords, property owners and tenants to the Committee Agenda so that we can continue these important discussions.

Finally, I want to point out that while I focus my attention on my District, this problem is citywide. The persistence of these problems is proof that something is broken and it needs to be fixed. I am eager for new, creative and bold solutions to these problems.

If this Hearing reveals that enforcement procedures or policies needed to be updated, changed or improved, I will introduce legislation to address these issues when City Council reconvenes. If our Hearing reveals that landlord or tenant behavior needs to change, I will move to empower the City with the tools needed to incentivize these changes.

The time to address these problems is now. I want to thank the Chairs of this Joint Committee for allowing me to make this statement.

COUNCILMAN JONES: No. Thank you, Councilman. This is an issue that this City has

long been addressing. We also note that there are good landlords, but we note also that some of the more troubled landlords cause a problem for all of us. And -- so we appreciate you rejuvenating this issue and moving it forward. And we will take into advisement keeping this issue alive. And those who refuse to at least testify will be noted, and we will continue to be persistent in making sure we get their attention and they will address this matter.

I note for the record that we are joined by Councilman Oh, Councilman O'Brien and Councilman Johnson.

Are their any other Members of Committee would like to give a statement?

Chair recognizes Councilwoman Blackwell.

COUNCILWOMAN BLACKWELL: Thank you very much.

We received a letter last evening from Powelton Village Civic Association, Inc. I will pass it out to Members of the Joint Committee. And would ask that it be made part of the record.

COUNCILMAN JONES: Will do so. Will the

Clerk take that and put it and submit it into record?

Are there any other Members on the Council that would look to -- I note that the Chair of Licenses and Inspections is here, Councilwoman Sanchez.

COUNCILWOMAN SANCHEZ: Continue to Chair.

COUNCILMAN JONES: Okay. Will the Clerk please read the first panel of people providing testimony.

THE CLERK: Kevin Gillen, Ph.D. and Vice President of Econsult.

MR. GILLEN: Good morning esteemed Members of Council, and thank you for the opportunity to be here today.

My name is Kevin Gillen. I'm an economist who currently holds a position as a Vice President with Econsult Corporation and also retain an affiliation with my alma mater as a research fellow with the University of Pennsylvania's Institute for Urban Research.

I've been asked to testify today on the issue of vacant properties and problem properties in Philadelphia and the economical

and fiscal implication for the individual neighborhoods and the City as a whole. I will begin with some basic numbers to help frame the discussion.

According to the City's own Office of Property Assessment, there are approximately 55,000 parcels in Philadelphia that are either vacant land or have an abandoned or significantly distressed structure on it. There are a total of 579,360 parcels in Philadelphia, implying that 9.5 percent of properties in Philadelphia could be classified as "problem properties".

There are 9.4 square miles of vacant or distressed properties in Philadelphia out of 134 square miles of land in total. This implies that 7 percent of Philadelphia's land area is vacant or occupied by an abandoned or distressed property. While this may initially not seem high, these properties are not distributed randomly throughout the City but rather are concentrated in specific neighborhoods.

For example, of Philadelphia's 48 ZIP codes, just ten ZIP codes contain nearly

two-thirds of these problem properties. Moreover, the ZIP codes themselves are concentrated in just three neighborhoods of Northwest and South Philadelphia. In these ten ZIP codes, the average number of problem properties is over 23,000.

To understand the implications of both the existence and concentration of these properties, I estimated a regression of recent house prices on their characteristics, such as size, age and location among others, plus the number of properties in their neighborhood that met the aforementioned definition of "problem properties".

Using nearly 160,000 sales that occurred in Philadelphia over the last ten years, the regression results indicate that the presence of a single problem property in a neighborhood reduces nearby house values by an average of 1 percent. Given that the current median house price in Philadelphia is $100,000, this suggests that homeowners that are near problem properties suffer a loss in their dwelling's value on average of $1,000.

While this initially may or may not seem like a large number, it quickly becomes one when you consider the aforementioned high concentration of problem properties in just a few neighborhoods. In these neighborhoods, the median number of problem properties is 45. So, the homes in these neighborhoods are worth, on average, 45 percent less or approximately $45,000 less than they would be otherwise if the problem of blighted and abandoned properties did not exist.

Further support for this result is provided by the fact that median house price in North and West Philadelphia is currently $54,000, which is almost exactly 45 percent less than the median house price in the entire city. This has larger fiscal implications beyond just the loss of wealth to effected homeowners in these neighborhoods.

If we examine just those neighborhoods that had a relatively high concentration of problem properties defined as having a number of problem properties that exceed the City's average across neighborhoods, there is a total of 268,000 homes

in these neighborhood, or about half of the City's entire housing stock.

Multiplying the average loss of $45,000 per home times the 268,000 homes, yields a total loss of housing wealth of $1.1 billion to the City's tax base. Applying the City's Taxation Formula to this number predicts that Philadelphia foregoes additional revenue collection of $347 million per year as a result of these depressed property values caused by both the high number and concentration of problem properties.

Of course, measuring the magnitude of the current problem may help move the policy debate forward over how to address this problem. However, recent research may also help make a more positive contribution by suggesting what to do about the problem.

This past spring, a team of economists from Penn and Econsult of which I was a part, was contracted by the City's own Redevelopment Authority to determine individual values of the City's holding of vacant land. One of the more practical findings of our research was that

adjacent parcels that had been assembled into one parcel had a market value that was on average 28 percent greater than equivalently sized comparable parcels. This is presumably driven by the fact that it saves developers both time and money from having to assemble parcels themselves especially if the different parcels are owned by different city agencies.

These results suggest that the City has in it within its own power to increase the market value of its vacant land thus better positioning this land for redevelopment if it undertakes the assemblage process itself before selling or disposing of this land. Of course, one of our other findings is that much of the City's vacant land currently has little to no market value at all. So, there is the natural question of what to do with this land in the interim if it currently has no development potential?

Some very encouraging, albeit preliminary results, can be found in a recent study of the Pennsylvania Horticultural Society's "Clean and Green Program" which converts vacant lots in Philadelphia to Green Space with the Office of

Housing, Community Development and the City of Philadelphia as long time partners and funders under leadership of Deborah McCullough.

Completed by Professor Susan Wachter of the Wharton school and myself, this study examined the effect on neighborhood property values of converting vacant and abandoned parcels to pocket parks, community gardens and other forms of Green Space. We examined the conversion of approximately 4,700 parcels over the course of 14 years, from 1996 through 2010, using the universe of all home sales at occurred in these neighborhoods.

Our findings, which we stress are preliminary and not yet official are as follows: The local presence of a vacant property is associated with nearby homes being worth an average of nearly 16 percent less than comparable dwellings in these neighborhoods. Note that this exceeds the previously mentioned 1 percent discount because we only looked at vacant land. And this program focuses primarily on the most distressed neighborhoods in Philadelphia where there's a very high

concentration of vacant parcels.

Following conversion of a vacant lot to maintain green space, nearby homes are estimated to command a price premium of 2 to 5 percent compared to other similar homes in the neighborhoods. After five years, the median gain in housing wealth to the effected households was estimated to be approximately $35,000; while the median house price during the study period was approximately $100,000, a significant gain to these homeowners.

We then examined the larger fiscal impact of the Horticultural Society's Clean and Green Program.

First, we had computed that the average increase in the value of homes within a quarter mile of a green lot net of any general house price depreciation in the five years following conversion is approximately $35,000 per home. Currently, 22 percent of Philadelphia's Housing Stock of approximately 457,000 dwellings is within a quarter mile of a green lot, which implies that a little over 100,000 dwellings are positively impacted by this program.

Multiplying the number of effected homes times the dollar gain in home values yields $3.5 billion in additional housing wealth accruing to owners of homes within a quarter mile of a green and clean block. Applying the City's taxation formula to this incremental housing value estimates that an additional hundred million dollars in property tax revenue will be generated by the conversion of these vacant lots if assessments accurately capture this increase in value.

Lastly, the net benefits of converting vacant land to green space can be computed by comparing the benefits of conversion to its cost. According to the Horticultural Society, the total cost of converting a vacant lot includes cleaning, topsoil, grading, tree planting, grass seed sewing, installation of post and rail wood fence estimate to about $1.20 a square foot.

Multiplying the total cost of $1.20 a square foot times the total square footage of these green and clean lots, yields $2.40 per square foot times 6.4 million total square feet

of clean and green lots, which gives a total cost to this program of approximately 15.3 million. Compared to the housing wealth of 3.5 billion that is created, this is a pittance compared to the total cost of this program.

In summary, the economic and fiscal implications of problem properties are significant both in allowing them to persist and in converting them to other uses. Recent research has found that 9.5 percent of Philadelphia's real estate stock could meet the definition of being "problem properties"; 7 percent of Philadelphia's land area is either vacant or occupied by abandoned or distressed properties.

The presence of a single problem property is estimated to reduce the value of a nearby home by an average of a thousand dollars. In those neighborhoods where these properties are disproportionally concentrated, the reduction in house values can be as much as $45,000 per house or even more. The total reduction in house values is estimated to reduce property tax revenue to the City by $347 million from what

they would be otherwise. In those neighborhoods with high concentrations of vacant lots, the average discount in house values is 16 percent. For those vacant lots with potential market value, assemblage of those parcels increases their value by an average of 28 percent.

PHS' Clean and Green Program is estimated to generate a $3.5 billion increase in the value of the City's Housing Stock. And if accurately assessed, this would generate an additional hundred million dollars per year in additional property tax revenues. The return to improving vacant lots is estimated to be quite high. Every dollar spent on cleaning and greening generates $224 in housing wealth and $7.43 in property tax revenues.

In closing, I thank Council for its time. And would be happy to take any questions.

COUNCILWOMAN SANCHEZ: Thank you so much for putting all of this into a context, especially given the discussion we're having about AVI at this point.

I want to acknowledge that Councilman Squilla had joined us for the record.

And now we will go to questions from my colleagues starting with Councilman Henon.

COUNCILMAN HENON: Thank you, Madam Chair. Good morning.

MR. GILLEN: Good morning.

COUNCILMAN HENON: In addition to vacant properties, we are concerned about negligent properties. Things that may seem minor to some, can you explain how property maintenance or there lack of performs in the housing market?

MR. GILLEN: Well, the basic idea is that what are called spillover effects in the housing market. So, the value of your home is not independent from the value of your neighbor's home. So when property is not properly maintained, it signals to your neighbors that not only is there going to be an eyesore in the neighborhood, not only can that property perhaps generate noise or vermin or things like that, but that the neighborhood is not attracting investment.

And if homes are systematically under-maintained and become problem properties, well, that can induce other homeowners not to

maintain their homes as well and to systematically under invest in them. As you said, it becomes a domino effect where you have one problem property turning into an entire block of problem properties and there goes the neighborhood.

COUNCILMAN HENON: When housing markets turn around, some property owners who are sitting on vacant lots or not maintaining them and that are not paying taxes on it, can they still turn a profit?

MR. GILLEN: Well, in a rising market, anyone can turn a profit if the conditions are just right. There are cyclical challenges to the current housing market, and then there are our own structural challenges that are unique to Philadelphia.

Currently, the housing market, as everyone knows, is in a downturn. I personally think it will be hitting bottom this year and will begin a recovery, albeit a slow one. That, in general, is good news for most homeowners in Philadelphia as well as the City itself.

But there are larger structural issues that

persist in Philadelphia whether through up markets or down markets. You know, again, the return to housing in Philadelphia is generally fairly low compared to other competing jurisdictions, large cities like New York or DC.

As I said before, we have Baltimore rents and house prices, but unfortunately we have New York construction costs. So, the return to investing in housing in Philadelphia is really compressed by the fact that there's a very large difference between what it costs to build and renovate and improve homes in Philadelphia and what the return would be on the higher renter price you can command for that investment.

COUNCILMAN HENON: Kevin, is there a fair measure that we can put in place to limit this sort of speculation where you have vacant lots that aren't being maintained or property taxes or paying taxes on it? Is there fair measures that can be put in place?

MR. GILLEN: Fair measures you say?

COUNCILMAN HENON: Yes.

MR. GILLEN: Well, I think a carrot and a stick approach could be combined. I mean, you

need enforcement of existing codes and existing laws and certainly existing tax collections. I believe very firmly in those things. At the same time, I think it would help Philadelphia if people invested and improved and maintained properties not just because they were forced to but because they wanted to and there was an actual return to doing so.

Addressing some of the structural issues I mentioned before, whether it be our high cost of construction or relatively high tax burden, I think would also help to induce people to not only return to the city, but by doing so to actually invest in the housing stock in this City.

COUNCILMAN HENON: Thank you.

COUNCILWOMAN SANCHEZ: Any other questions from my colleagues?

(No response for questions.)

I am going to borrow that; Baltimore prices and New York City construction. That's a good -- that's a good one. Thank you, sir, very much for your testimony.

MR. GILLEN: Thank you.

COUNCILWOMAN SANCHEZ: We will now proceed with the Phil Lord from TURN and Darrell Zaslow from HAPCO. And they are joined by George Gould, our good friend from CLS. Is HAPCO here? Oh, yes. Right there.

MR. GOULD: Good morning.

COUNCILWOMAN SANCHEZ: Good morning.

MR. GOULD: My name is George Gould. I'm the Managing Attorney of the Housing and Energy Units at Community Legal Services. Our office over the years has represented thousands of low and moderate income tenants facing problems with their landlords in the City of Philadelphia. I have worked at CLS for over forty years now.

And I can say that what Councilman Henon said, that we are in a serious crisis regarding the repair of rental units in this city. And I think there -- and I have with me Phil Lord, who is the Executive Director of TURN, who will also talk about these issues.

But I believe there are really fundamental issues in the city that are causing these problems. And basic problem is the failure of landlords to repair, whether it be a vacant

property, whether it be an occupied property. And unfortunately, much of this goes to the failure of the City to properly enforce the housing code and other applicable codes.

Over the years enforcement has gone up a little bit, has gone down a little bit. But as a practical matter, if you are a tenant, it is very difficult to get actual enforcement by L&I on your property. It takes time to get out to the unit. It -- whether or not a proper inspection is actually done, and then actual enforcement to see that repairs are actually done.

A problem L&I has is a lack of staff to do the inspections and to do the enforcement. But that is critically lacking in the City. Unfortunately, many landlords know that. If they eventually end up getting fined, that's the cost of doing business but that's a lot cheaper than making repairs to their property.

I don't want to put all landlords in this boat. There are some very good landlords in the City who operate properties the way they should be done. But there is also a group of landlords

who don't do that. They need to be addressed whether or not they are owning vacant properties or whether or not they have occupied properties.

The other fundamental problem is the failure to enforce the license ordinance in the City. We have a license ordinance which requires landlords to get a license. Many do not. Some get licenses and the properties they get licenses on are replete with code violations, and the City allows them to get a license. It allows them to renew the license. Councilman Greenlee has a bill pending which would deal with that issue and would say that no license could be issued or renewed if there are code violations.

But unfortunately, the license ordinance is a mechanism that can be used to enforce the code; unfortunately, it's not. Many landlords operate without licenses, and little is done to those landlords to force them to get licenses. So, we have sort of some fundamental issues here as to why we have so many properties, whether they be vacant or occupied, that lack repairs.

The other issue is City Council passed

several years ago what was called the Rent Suitability Ordinance, which is an ordinance that requires landlords prior to leasing a property get a certificate from L&I that there are no recorded code violations on the property. There was some legal challenges to that. We resolved that with the landlords. But unfortunately, that program is not -- that ordinance is not widely publicized. We believe that landlords do not get these certificates. But again, it's a mechanism to be able to force to tell landlords you cannot lease a property in this city if you have a recorded code violation.

We urge the City to publicize this, to put it in notices, to tell landlords this is a requirement. And we don't think it's been adequately done.

With that, let me pass it on to Phil Lord from TURN who is in the trenches there helping out tenants who, you know, really have these problems.

MR. LORD: Thank you very much. As said, my name is Phil Lord. I am the Executive Director of TURN. TURN is a service and

advocacy organization here in Philadelphia that provides assistance to tenants. We provide rental subsidy programs. We provide counseling. We provide classes. And in that context, we see a lot of situations where tenants are the subject and the victims of this kind of blight that we're talking about today. So, we are really concerned about it.

TURN and the predecessor in the city Tenant Action Group has been working on this issue. We call it trouble buildings not problem properties, but it's the same concept. And that is buildings that are being neglected by landlords who get the rents but don't do the repairs.

Now TURN works with hundreds of landlords in the city. There are very good landlords that provide really good service to tenants. So, this is not the typical landlord, but it is too common and it's too serious a problem to ignore. Over the years, we have suggested a lot of different things, some of which has been heard by the City.

George Gould mentioned the licensing issue,

which is really important to us. Make sure that the landlords cannot get license if they have outstanding code violations. On our list of things that we talked to L&I about and the City about over the years is including things like putting code violations online. People don't know when there are code violations against the property. And that should be very, very accessible to the general public.

Even the rental building certificate law which allows you to get a certificate if you are a landlord. It doesn't tell you what the violations are, if there are violations, unless it's a multi-unit property. We really need to figure out a way to make that happen. We've been asking for it about 20 years and been told we are going to get it any day. That's a very important thing.

Another thing we believe we have a bottom up approach to code enforcement. Instead of saying, well, the managing directors will figure out what to do. We feel the real response are going to come from tenants who are the victims of these substandard properties. So, we are

looking for opportunities for tenants not just to become aware of a code violation but be able to enforce the code. So, we think having a private right of action by tenants whereby they can enforce the housing code is critical particularly given the lack of inspectors, the lack of the City capacity to do enforcement. So, we think that's another critical issue.

Something we've been trying to get for a long time and hasn't even been talked about lately is a process for receivership. A lot of these buildings are owned by landlords who are not in the city or not really responsible at all. And so, we feel the real solution to that is to make it easier for tenants and for the City to implement a receivership program whereby someone can take over the building and actually get the rents and use the rents to make repairs and the building gets fixed up.

The real problem, as you might imagine, is money. And we feel that there were funds for landlords to make repairs, if there were a revolving of fund for abatements as there once was for heat, that that would be a really

important tool for code enforcement. Because the fact of the matter is, when you -- landlords get code violations, they weigh the cost of the violation against the cost of the repair. And very often they will ignore it. But if the City can go in and make the repair and then lien the property, bill the landlord, then we have an improved property. We have an investment that's been protected, and we also have a way to get the money back from the landlord that is really effective. So, we believe that kind of abatement process is really crucial.

So overall, we think this is a great idea. We're glad we are approaching it. We support the concept and we think that ways to make properties better for tenants is really critical, not just to tenants but to the homeowners, anybody in the community that's going to benefit from it.

COUNCILWOMAN SANCHEZ: Thank you. Any questions?

Councilman Johnson.

COUNCILMAN JOHNSON: Thank you, Madam Chair.

Just a real quick question. I'd like to thank Colleague Councilman Henon for putting this hearing together. It's an area I am also interested in because we have a significant amount of properties, particularly in the Second Councilmatic District, Point Breeze area, Gray's Ferry area that suffer from some of the same things that we are discussing here today.

But specifically when you talk about landlords -- landlords or property owners who rent out properties that do not have a license, right, do you have a dollar amount that we may lose on a yearly basis as it relates to revenue that could be going directly toward the City from a certified landlord but we are not receiving it because we don't have an actual landlord with an actual license?

Has that analysis been done on that?

MR. LORD: I am not sure if I have seen that analysis in particular. I think you will hear testimony from HAPCO which very often says that two-thirds of landlords are not licensed. And I know the City collects from 6 to 11 million dollars in licenses, so that could be

anywhere from 18 to 33 million dollars that's not collected. But we think that is just the tip of the iceberg. Because collecting the money for license is important to subsidize the whole process of code enforcement. But it's more important that the landlords make sure that the repairs get done.

So, if we have a requirement that the repairs have to be done, no code violations in order to get the license, then that will make code enforcement even easier.

COUNCILMAN JOHNSON: Okay.

MR. GOULD: I think what needs to happen is the City needs to go after those landlords who are not licensed.

COUNCILMAN JOHNSON: My point is, basically as we try to think of creative ways to utilize our resources, quite frankly, if you are a landlord -- if your building isn't up to code, you shouldn't receive any type of license, any type of certification, so that is a done deal. So obviously, there is some work that needs to be done.

Also, being realistic, I do understand that

L&I you only have so many staff members. Not taking the responsibility off of them, but I am also being real about the issue. So, as we kind of shift or move resources around, obviously, you have to expand on the L&I side, the number of staffers actually go out enforcing these actual code violations.

So, I am just thinking if we can collect on one side where people are kind of getting away with just being landlords anyway, maybe that would be a way to kind of expand the level of resources you have for L&I to go out and do aggressive enforcement. Just try to --

MR. LORD: I got you.

COUNCILMAN JOHNSON: -- look at how you shift resources.

MR. LORD: Well, don't overlook Councilman Henon's bill, has $2,000 a day fine for violations. That's already in the code. So, there really is opportunity for L&I and others to really collect money for people who don't comply with the code. What really is tragic is when landlords neglect repairs for a long period of time. They do some shoddy repairs or even

decent repairs, and there is no real penalty for people that have suffered over that time period. There should be aggressive fining and code enforcement.

We think this will happen more likely if tenants have the right to enforce the code and get attorneys' fees. As a result of that, you will have a lot of people enforcing housing code without any extra money from the city being invested. So if that was something that was created, it would make a big difference.

COUNCILMAN JOHNSON: Good. Thank you.

COUNCILWOMAN SANCHEZ: Do we need State Authorization?

MR. LORD: Excuse me?

COUNCILWOMAN SANCHEZ: Phil, for that to be able to do that the receivership.

MR. LORD: Receivership is a legal process that every court can do. I think the City just has to make sure that that is aggressively pursued. It's really the judge -- an equity judge would decide that. It wouldn't require court legislation. George has done a lot of work on this.

MR. GOULD: Yeah. Over the years -- and this is especially true of multifamily properties where they have deteriorated -- one of the problems is that L&I has not gone into the property until the property has gotten so bad that they have to shut it down. We have often intervened in those cases to try to do something so that the tenants are not forced out in the street.

Yet, we have seen situations where the same multifamily buildings have been shut down, they're re-rented. The violations are administratively closed and then they're re-rented two, three years later and we are back in the same building in court trying to prevent the tenants from being thrown out.

Receivership is a possibility where you get a third party, responsible third party, to come in to collect the rents and make repairs.

COUNCILWOMAN SANCHEZ: It's an interesting concept. As we talk about housing preservation given the decrease in funding for new development, I think it's something that we need to talk about how do we become a little bit more

proactive on the housing preservation side looking at that. And I am sure when L&I comes up we can ask about if that is something that we can add to the L&I Light Court that we have currently have. Maybe that's something -- a function that we want to -- now that we have Judge Moss focused in and it has generate some success, maybe this is another area that we have to look at for that blight court.

So, I am sure we will continue the discussion. And you will continue to hold us accountable.

MR. LORD: Thank you very much.

COUNCILWOMAN SANCHEZ: Thank you.

COUNCILMAN OH: I have a question.

COUNCILWOMAN SANCHEZ: I'm sorry, Councilman Oh. I apologize.

COUNCILMAN OH: That's okay. In terms of your experience, the issues of bad neighbors and the issues of poorly maintained properties would appear to be -- correspond to the socioeconomic conditions of the neighborhood. In other words, tenants with a lot of money who live in expensive places that get good rents probably

don't have many complaints, or is that not true?

MR. LORD: We hear from tenants in Park Town, in Sterling in properties that are very high rent all the time not only about repairs but it is -- they have a lot of issues. So, it does cut across the board. I think it's an imbalance in the relationship that has to be corrected.

But generally speaking, you are right. In terms of blight, that is less likely in upscale properties. That is definitely true.

COUNCILMAN OH: In our city, I just want to explore this because I do want to look at very practical solutions that don't have unintended consequences. We have 26 or 27 percent of our population under the poverty line. We have a very high -- we only have 22.2 percent of our population with a college degree or higher. We have 11 percent unemployment.

So, in poor neighborhoods where people are looking for lower rents without -- they don't have much good credit, some of them are recidivists, they are looking for places where they can stay. And the lower the rent, the less

nice the place that they got to live. It doesn't excuse not maintaining, you know, a decent place and all that.

But my question is, in the balance of how to encourage landlords to maintain their properties, there is the enforcement side. But one of the issues that I am wondering about in your experience is what about bad tenants; tenants who don't pay the rent, tenants who destroy the property. There is typically, at least from my knowledge, a reputation in Philadelphia that it's very hard to remove tenants.

So with bad tenants -- we can put more legal requirements on landlords to maintain their properties, but should we not also provide them the tools to remove bad tenants?

MR. GOULD: The law applies to both landlords and tenants. And if a tenant is destructive there is a court process which we believes --

COUNCILMAN OH: Six to nine months.

MR. GOULD: Huh?

COUNCILMAN OH: Six to nine months.

MR. GOULD: It's not six to nine months in the city.

COUNCILMAN OH: Last time I knew --

MR. GOULD: Well, if -- a landlord can get a hearing in close to three to four weeks. And if they get a judgment that's processed, they can get somebody out possibly within 21 days. Now, it depends how quickly the landlord moves. But the eviction process in Pennsylvania has been speeded up substantially. Since 1995, the laws changed and the court procedure changed.

Now, in part, it depends how quickly the landlord moves. But if the landlord moves quickly, the law provides that they can get a tenant out who is destructive in a relatively quick period of time.

MR. LORD: As George indicated, there is a court hearing within, we think, a couple weeks right now. The backlog is very low. And at that eviction hearing if the landlord wins, there is a ten-day time period for an appeal. After that, there is an eleven days for writ of possession. That writ of possession period, when that's over, a writ alias comes out and

puts the tenant on the street. So, if it takes nine months because the landlord has been either gracious or negligent or whatever you want to say in terms of trying to forward the process, it does not take that long if you are moving quickly. George hear testified to that effect.

Landlords, you need to know, also have extraordinary remedies that no other creditors have in this state. They have security deposits. They can have several months up front as security deposit. They have a right to garnish salaries for back rent. And they can get rent in advance. So, there is lots of procedures to help protect economic interest of landlords.

It's very important to understand, we are taking about minimum standards here, not talking about amenities that might increase the price of a unit. We're talking about being able to be in a place that is safe and doesn't make you sick. And the City or the individual tenant will pay a lot more for healthcare and for school -- lack of education, that kind of thing, because of poor conditions if we don't address this stuff.

So,it's not about trying to lower the price. We have landlords that work with our programs for tenants who are very low income. And we have found decent places for 400, 600, 7 -- 650. And people can afford these units. Maybe higher percent income than they want, but they can afford it. And these are decent places because we inspect them before we put tenants in there.

COUNCILMAN OH: Okay. Thank you very much.

COUNCILWOMAN SANCHEZ: Thank you. Councilman Jon -- Johnson, you had another question?

COUNCILMAN JOHNSON: It's a twofold question. One part, does Section 8 play a role from a landlord standpoint in what we are evaluating right now in terms of the service that they provide as landlords to the tenants who actually occupy the Section 8 housing?

MR. LORD: I didn't hear the beginning of what you said.

COUNCILMAN JOHNSON: I said, does Section 8 play a role in this discussion in terms of landlords, right, who are providing a service to

tenants?

Because just from a constituent service standpoint, I might have had calls -- variety of different calls on both sides, some landlords, some tenants. But there has been conversations regarding some landlords that get a Section 8 Voucher who have good tenants but don't go out, to the best of their ability, of just maintaining -- just take the check, basically.

Because you have a person in there who, quote/unquote, may be of a certain social economic background. May not be well equipped to do the advocacy standpoint or they may be. Because, obviously, if they are calling our office, they are trying to get reprieve.

Have any analysis been done in that context?

MR. GOULD: The same -- if you are a Section 8 landlord, the same laws and the same ordinance that apply to a Section 8 landlord applies to a private landlord. In fact, the Philadelphia Housing Authority which owns about 15,000 properties, the same ordinances apply to them. And it should be enforced equally against

Section 8 landlords.

The Housing Authority also has what are called Housing Quality Standards. And they are supposed to inspect prior to leasehold Section 8 properties that will be rented to tenants to make sure they meet Housing Quality Standards. And if there are problems, they should come out and inspect the property and require the landlord to make repairs in order for them to get subsidies.

So, whatever ordinances are in effect in Philadelphia apply to all Section 8 landlords.

MR. LORD: And we found -- this was years ago. I was -- spoke with Carl Green of PHA about Section 8. He told me personally that they get hundreds of calls complaining about Section 8 tenants. And when they look at the records, the people are not Section 8 tenants.

There is a stereotype that anybody that doesn't put their trash out and doesn't behave properly, they will call PHA and say there is a Section 8 tenant in my neighborhood who is messing things up. Not always true.

But there are very high standards. There

are inspections. There are still landlords who don't do their job, and we are trying to make sure they do it.

COUNCILMAN JOHNSON: Thank you.

COUNCILWOMAN SANCHEZ: Councilwoman Blackwell.

COUNCILWOMAN BLACKWELL: Thank you. That is true. And with all of the issues reported about Carl Green, one of them was criticizing him because he had Section 8 tenant classes. And he did that, and it lowered the complaints and all of that because he made sure that all Section 8 landlords, generally, they wanted to sign up. It was all better.

They understood their response, pay the minimum fee. I have forgotten what it was. And then they knew what their responsibilities were as well as the tenant. So -- but it got caught up in all the other issues. And I think it was -- I'm not so sure that it wasn't done away with, but it's a real important issue.

Thank you. Thank you both.

COUNCILWOMAN SANCHEZ: Thank you. Thank you, gentleman. We will continue the

discussion.

Mr. Zaslow from HAPCO and anyone else joining him. Mr. Spear.

MR. ZASLOW: Madam Chair, good morning.

COUNCILWOMAN SANCHEZ: Good morning.

MR. ZASLOW: My name is Darrell Zaslow. I am Legal Counsel to HAPCO, the Homeowners Association of Philadelphia. With me to speak very briefly today are three members of our Board of Directors: Harvey Spear, Robert Levin and Joan Levin, no relation between them.

COUNCILWOMAN SANCHEZ: You have written testimony for the record or no?

MR. ZASLOW: We do not. There is some, which we put on the table, but we'll address certain issues as they're arising here.

Initially, by way of introduction to the Members of the Committee, we most certainly appreciate Councilman Henon's convocation of these hearings especially his personal invitation to HAPCO recognizing our representation of the very landlords which, from your perspective, are potentially problematic.

Councilman Henon challenged us to come to

you and, number one, describe what it means to be a good landlord; and number two, to describe for the Committee what are the challenges of being a good landlord.

What it means to be a good landlord you will hear perhaps from Mr. Spear who will tell you in better fashion than I, it is very simple. You obey all laws and pay all taxes. To be a good landlord, the answer is frankly a simple one.

Much more difficult to provide to this Distinguished Committee is the challenges that we face and how these challenges can somehow be overcome from the benefit of tenants, property owners and the City. I would draw to your attention several of the broad areas of challenge which property owners face.

Real estate values have plummeted. It's no secret. It cost money to run properties. When the value of real estate goes down, the ability to obtain financing to finance and maintain your properties is stopped dead in its tracks. When the banks come and say we will no longer lend you money or worse than that, we have owners who

have lines of credit and the banks, it's no secret, have all come forward and investigated our property owners and forced us to show income levels and what the money is being generated. And then the bank comes in and says your line of credit is cut off. If you've been relying on that line of credit to help you to be a good landlord, the letter from the bank that your line of credit is now being diminished or ended in its entirety is quite problematic.

It's no secret in this exalted chamber that we have faced massive tax increases. We are yet to face, it appears, yet more tax increases. We give you our condolences to be the ones that need to make these decisions. But we know from the newspapers and from our own interaction with you Members of Council, you are faced with a problem which you will have no choice but to shift to us.

Well, we will put it on our shoulders. Not happily, but we will have yet another tax increase. The temporaries are permanent and new tax increases beyond that. It looks to me like we are facing over the last few years a minimum

25 percent tax increase, which is enormously massive. If any of you were all of a sudden to have 25 percent new expenses that you didn't have the day before, you would understand the difficulty.

We are suffering from massive vandalism. The theft in this city of property and metal items out of real estate is astonishing. Our police department, naturally, is dealing unfortunately with murders and don't have the time and the money to come to answer a HAPCO member's call who says, I am standing in front of my house, and there is water gushing on the street because somebody stole every bit of copper out. And they are going to get $200 for the copper that they stole. And I am going to have to pay $10,000 to fix my property.

And the insurance rate goes up as a result of that. Or you are afraid to report this to your insurance carrier because then they are just going to increase your rates.

We are facing massive increases in the cost of repairs generally. Everyone knows the economic issues, but the economic issues stop at

the desks of these three people and all the people they represent who are told, sure, fix your properties, maintain the violations. Everybody wants to do that unless they are not the good landlord that we all seek. But the truth is, the cost is becoming overwhelming. And is yet going to become more overwhelming.

The City, as of course you all know, has now passed a law regarding lead inspections. Well, we participated in that. And we signed on for that. And we are going to do our very best to comply to every iota of that law, also. The cost of that law to us tens of millions is not going to be sufficient to say how much money that is.

The Federal Government has just enacted new laws which require all kinds of space suits and gloves and plastic sheaving and sheeting and all kinds of EPA regulations to do some kind of a minor repair on a little panel. That is massively increasing our costs. We see our tenants with decline in income. It's not their fault.

The tenants are suffering as well because

they have lost income. They are not looking to lose income. When they lose income, we are now at the upper margin of the rent that we can charge. How much more rent can you charge to a person in a low income property and still, as Councilman Oh has so perceptively inquired about, there is an upper limit to what people can pay.

When you reach that upper limit, what happens? You raise the rent more, people have no place to live. If you don't raise rent, you are suffering from all these massive costs and you can't afford to maintain your house like we would like to have the house maintained.

There has been a significant population decline in the city. The hundreds of thousands of people that used to live in Philadelphia and now no longer do, they used to live somewhere. They lived in houses in the city. And now they have all moved away, so those properties have no one to live in them because the population of the city has diminished so drastically, so you have abandoned properties. There is no one that wants to live in the property.

The City and the State and the Federal Government compound this by coming up with these brilliant ideas to build beautiful brand new housing. Well, it's all very nice. As owners of private rental property who are amazed when we see government officials in the beautiful picture with a pair of scissors cutting the red ribbon and they're announcing, we constructed 17 new homes and we only spent $142 million or whatever the numbers are.

And we laugh. Because if you would give us that money, we would make ten times the properties become habitable rather than the focus being on let's build new properties. But what are you going to do with the hundreds of thousands of properties that people used to live in and they are not here to live in any longer?

Councilman Henon, properly so -- and we are working to our best ability to be cooperative and of assistance to the city. You hear about licenses and you will hear Mr. Spear mention it again because he's very big on this. We have announced to our members and to every property owner in the city, you must be licensed. We as

licensed property owners will not tolerate people who are not licensed. It enables them to be under your radar. In enables them to rent properties which give us a bad name. We must have property owners licensed.

We have suggested ways to do it. We had a simple solution last week. I'm not sure if it's on the agenda for tomorrow. To say when you send out a tax bill, you've seen it, put a little notice on the tax bill, you must have a rental property license if this is tenant occupied. An educational campaign.

I've sat at this desk in amazement that someone from the Revenue Department came before the Committee and said, well, we don't have any control over our bills. And even though there is this big white space on a water bill or on a tax bill, we can't type in the words "You must have a rental license", so that is difficult to comprehend. I hope Councilman Henon who is working so hard on this, is coming up with some solution on that issue.

You can collect money from unlicensed property owners that would be a help. There is

ways to do it. We have been through it a number of times. Why no one cross references water bills, PGW bills, electric bills and deeds to see if the same person that owns the house is living in the house. If Joe Smith Corporation owns a house and Susie Jones is the tenant on the PGW bill, well, you know she is a tenant. It seems to me that somewhere within the City's ability to look at the City's own information, you can correlate your information and ascertain who appears to be a tenant and do what you need to do to enforce that.

The solution, as my good friend Mr. Lord and Mr. Gould they testify -- we testify for decades together on these issues. And I know that from the tenants' perspective as well as our perspective, we would like very much to see solutions. I had the privilege of testifying before Councilman Kenyatta Johnson's committee when he was serving us out in the State House. And we suggested there that a solution may be what we called micro loans.

The solution is in this book here. This book is $170 million of money that comes in for

housing in the City of Philadelphia, $170 million. I'm not sure what the next number is going to be for the next round. It is extraordinary that with all the problems you are flashing up on the screen over there of high weeds and properties that aren't properly repaired that within that $170 million we can't found micro loans which save the properties which are on the way down.

A loan of $5,000 is not going to repair a property that's abandoned for 30 years. But you have a property with a property owner who all the sudden has a roof problem or the water heater goes or the tenant hasn't paid rent in six months, you have lost your money for that year basically. Sometimes a small amount of money can solve the problem and stop the decline of that property from becoming the house on the street in the neighborhood that ruins everything for everybody else.

So, within the 170 million, instead of giving all kinds of money to all kinds of CDCs and all kinds of fancy work for a very tiny number of people, make money available for

property owners. Because I guarantee if you give $10,000 to the people you are calling landlords and you watch where the money goes, of course, they will accomplish a great deal. With $10,000, they can make a house that is about to become abandoned into a good livable code compliant property. You can give the government ten times that amount and they build some nice unit. We can build ten for what they do in one.

Having said all that, and I have had the opportunity to, of course, to address this before, I would like to request, Madam Chair, that initially I will ask Mr. Harvey Spear, a Board Member of HAPCO, to offer his sense of these issues for the benefit of the Committee.

COUNCILWOMAN SANCHEZ: I want to thank you. I am going to ask you to summarize some of your comments because we do have a long list. I think you put this in a very good context. And I can ensure you that we are having that housing preservation discussion and how we get smarter. We've, in fact, in my district piloted several things around commercial housing mixes and how do you support rental and put more money into

that private ownership to increase rental opportunities.

I don't think this is one set of group to another. It's how everyone who is a stakeholder really leverages our dollars. And whether it's our basic systems, if you were here for the Finance Committee when we reviewed that OACD Plan, that comp plan, we talked about that. This is about a housing preservation strategy.

We are a very old city with beautiful old housing that requires a little bit more TLC. I think this is an opportune time for the city to have that discussion. We do have less and less money, and we do have to get smarter about it. And you -- HAPCO has to be part of that solution. We agree with you there.

MR. ZASLOW: Thank you. Mr. Spear, if I may, Madam Chair.

COUNCILWOMAN SANCHEZ: Yes.

MR. SPEAR: Thank you, Madam Chair. I know most of you being in another business, the parking business. But today I am speaking on behalf of HAPCO. I am a board member and I will keep it short.

I want to commend Councilman Henon for taking an interest in this. As we told him over, I guess, since he's been in office, there are major problems. And my main pet peeve is the fact that there unlicensed landlords just like in the parking business. There are unlicensed parking operators. The City is losing substantial amount of money. But in this aspect, the fact that they are unlicensed landlords are dangerous.

It's a dangerous situation. If somebody is in a house that needs upgrading of electric. There can be a fire. If they don't have proper equipment, smoke detectors, the list can go on and on. There is really safety issues here. Even a fire escape, I make sure my fire escapes are in good shape. Somebody that can walk outside -- you know, there has been accidents with rusted fire escapes.

Also, I wanted to just explain that if you do get a violation and you are a good landlord and you think it's wrong, you can appeal it. So there are -- I am here to talk about the landlords that are not good landlords. They

have licenses. They get violations. They don't do anything with it. And then you have disastrous effects from that, too.

As far as eviction process, I disagree with the Tenants' Association. I don't have many evictions. My properties are located in Center City. But I did have one instance where took me substantially over a year to get somebody out. He filed bankruptcy and he went into court. The bankruptcy attorney made him pay day to day. It just turned into a disaster. And I can tell you that I don't have much experience, but HAPCO will testify that the eviction process here has to be speeded up.

You have landlords with tenants that do not pay rent. They're faced with a broker water heater or they are faced with electrical problems. And they can't fix these things because they don't have the income -- the lower income -- lower moderate income housing.

That being said, I just want to thank you for letting me speak. And I want to commend, again, Council for taking this issue up.

MR. ZASLOW: Madam Chair, Robert Levin. If

you will indulge us for another two minutes for two more people to give their thoughts to the Committee.

MR. LEVIN: Going to be 30 seconds. I can read it faster if you want.

The common perception of landlord is that of an absentee owner who is miserly, self-interested, concerned solely about the good and welfare of himself who with wanton disregard for the needs, concerns or desires of customers, clients, tenants, the neighborhood, community or the city in which he conducts business. I am here to tell you a different more compelling story to allay these falsehoods.

Without the many small and large builders and other property owners who have been forward thinking, responsible, responsive and socially concerned over the past half century or more, the vibrant, culturally rich and rewarding City of Philadelphia we recognize today would not be possible. True, while builders, developers, landlords and everyday property owners have a capitalistic element in all they have done without proper service to our clients,

maintenance, care and vigilance to our properties, the investment would soon fail.

The City's on the rise in many areas, many neighborhoods because of good landlords who tend their properties, work to assure tenants and residents that their needs are met so that the places they call home will maintained properly are clean, safe and well placed in a market rate competitive rental environment. Those who don't or won't will fail. Property owners do have a right to see a return on their investment.

Every property -- every business, excuse me, operator does. Rather uniquely placed, landlords provide both a good and a service. In order to be able to give both at levels expected, you must be able to operate in an environment that is not overly burdensome without onerous rules, regulations and taxes and restrictions that severely impair one's ability to manage property and tenant interest at appropriately high levels.

Some basic examples of burdensome regulations are Philadelphia's business and real estate tax structures which have been mentioned

already. Continue the old prevailing logic that the business community will simply absorb the cost of ever increasing rates.

Things that are of concern to property owners that are more along the lines of benign, however, are trash set outside times that require businesses and landlords to make alternate arrangement for trash removal or curbside set out well past reasonable business hours and at significant additional cost lest we brace ourselves for unreasonable and costly trash and littering fines. Holding landlords res -- responsible landlords accountable for misbehavior or misdeeds of tenants including illegal activity as well as removal of life safety devices without the knowledge of landlord.

Finally, the Byzantine system of evicting a tenant from a property which can cost the landlord many, many months of rent, legal fees, court costs, property damage, ultimately many times stressing the property to the break. The list can go on and on. However, let me repeat, without responsible, responsive quality

landlords, Philadelphia would not be on the trajectory towards international recognition that it is, which has been long overdue.

Thank you.

MR. ZASLOW: Madam Chair, if you will indulge Dr. Joan Levin who is testifying for the first time today. Her father was a prominent landlord. And now Dr. Levin is struggling herself to be a good landlord. She will give you a few anecdotes.

COUNCILWOMAN SANCHEZ: I appreciate it, but I am going to ask you to be quick because we do have some questions for you.

MR. ZASLOW: Good. Thank you.

MS. LEVIN: I will be quick. I will summarize my remarks. If anybody is interested in the full text, they can refer to them later on.

I am a second generation landlord. And I own property in Kensington. I am so glad to be here to talk to all of you about Kensington. I remember Kensington from the '50s on. And it has certainly gone way downhill. I feel I take my personal safety in hand if I walk into my

neighborhood where my properties are after a certain hour.

I have maintained these properties lovingly through the years doing what my father did, to provide decent housing at a decent cost for people of limited means who are in desperate need of a safe place to live and a neighborhood the call home. What has been happening has been tragic. I am not going to even talk about the drug dealers and the halfway houses and people out of control and the prostitution. That is not my purpose today.

I am just talking about it from the position of being a landlord with property and skin in the game and wanting to succeed and wanting to continue to provide this service despite all of the odds that are stacked against all of us who are trying to eke out some kind of living in this neighborhood.

First of all, you have the copper thieves. They strike when a tenant is moving out. They live across the street. People will tell you on the block. Oh, you see that guy over there sitting on his porch, he's going to come in

tonight, and he's going to take all your copper. If I don't have possession of the property because my tenant is moving out, I cannot do a thing. I cannot. I come the next morning and find a shell.

I have called the police. And I know the police put their lives on the line every day. But it's distressing when we call the police and say, please, help us. You know, it happened in this one house. I have another house down the block. The tenants just gave notice. Can you give me a hand. And they say, well, they are stealing copper in Mayfair and you're in Kensington. What do you want us to do.

One policeman whose name shall remain anonymous actually accused me of stealing my own copper so that I could collect on the insurance. Well, I don't -- when I'm hit, I don't go to my insurance company. My insurance is for a fire. It's not for ripped out copper. You know, my insurance is, God forbid, I have a $20,000 loss, not a $5,000 loss.

My premiums have already been tripling in Kensington. And there have been insurers who

are looking for ways to not ensure rental property. People want out. It's the neighborhood just going down one house at a time. And we sit there and just try everything we can.

When I have possession, I put a burglar alarm in my house and it goes off periodically. But the cops don't come. Usually, the first person who gets there is my contractor. Most of the time it's somebody who may be tried by pushing a door and the motion sensor is triggered. You know, the good news is that I haven't lost any copper in the houses where I've actually been able to get an alarm in. But the police aren't helping us. They're not.

If you want to really stop the decline, you've got to stop the massive theft of property. Now, I just talked about the copper. But I had a house where in a period of 24 hours they took the house heater. They took the bathtub. They took the water heater. They took the kitchen cabinets. They were ugly. At any rate, I was left with a shell. I had a viable house, and now I have a shell. It will take

tens of thousands of dollars to fix that back to rentable quality.

I pay my taxes in all my houses. I pay my water bills on all my houses. If L&I contacts me, they have me on the phone the next day working with the inspector. I am what I would consider about the most responsible landlord that could be, but my rents are falling. I cannot charge what I used to before the recession. People don't have the money.

I -- my expenses are skyrocketing. Those massive real estate taxes are hitting me. The Lead Law is going to hit me. I rent to mothers and small children. All this money that it is costing me, and I am getting much less in return from my tenants when I find tenants.

So, the other thing that I must say before I conclude is I have some competition in my neighborhood. And it's unlicensed landlords who will buy a house, a big three or four bedroom house on Allegheny Avenue. Not only will they not license it, but they will then rent out rooms to whoever comes. So when I put in an ad for tenants, all of this -- and I say, well, I

check your level of income just to make sure you can pay the rent. I check to see if you've been evicted before because serial evictors do nasty things to property. And I also look at your credit, but I am not expecting sterling credit because in that neighborhood nobody has it, and that's okay. People say, well, nobody checks. I can go down the street and I can get just myself a room.

There are no standards. And I have had these people just call me up out of the blue saying sell me your house on G and Allegheny. And, you know, name some outrageously low price for it like $4,000. They say it's for me and my family. But everybody knows who they are. They are going to turn it into a rooming house, an unlicensed rooming house. A fire trap. It's going to fall apart. The people who are living in there are going to come and steal my copper.

This is what is going on. I want to save Kensington. I will always pay my taxes. But at a certain point, I will not be able to stay in business anymore. The future of rentals in Kensington are unlicensed owners of boarding

houses. And I want you to ponder that because when we can't make a living, who are on the books and try and do it the right way, there will always be people willing to buy our properties and make living that they can make.

Thank you.

COUNCILWOMAN SANCHEZ: Thank you. I just -- just for the record because I think this is a very complicated issue. You know, given the foreclosure situation, we need good landlords. There is going to be, you know, a long term need for rental housing.

I will say that part of the balance and the reason we are here today is in Kensington, for instance -- and you know, it is my District, so I am a little defensive. You've got bad actors like Bob Coyle. I have 480 properties where people were scammed. That wasn't the City's creation and it wasn't our problem. It is now.

So unfortunately, when you have a bad actor like that, which is why we try to legislate for these bad actors. It's not the good actors. It creates a downward spiral for everybody else. And Kensington's situation is particularly

unique, one, because you need affordable rental. And that's why you have those rooming houses that again we've inherited. But people like Bob Coyle have had a tremendous impact on Kensington. It's going to take me 20 years to revert what he did and the banks did because they were partly responsible for what happened in Kensington.

So hang in there. We are aware of it. It is by no means our creation.

Councilman Henon.

COUNCILMAN HENON: Thank you, Madam Chair. I have no questions for the panel. I just want to make a statement for the previous panel TURN and HAPCO.

As you know, working with both groups and the community groups and the multiple city departments, you know, I've introduced a Problem Property Legislation which is going to address a lot of your concerns here today from the rental suitability certificate, rewriting the -- and taking a deeper and more in depth look of property maintenance code, enforcement, collaborative efforts with multiple city

departments in the form of a task force, and the unlicensed -- unlicensed landlords, which is an unknown that is out there that is cheating our city and cheating our citizens who should be living in a safe and, you know, property maintenance free home in our neighborhoods. Also, working with Councilman Bill Greenlee on the housing license issue, you know.

And last, you had mentioned about incentives. That is important. It's not just -- I mean, there are good landlords out there that are small and large businessmen and women who contribute to the communities, who take care of their neighborhoods and Boys and Girls Clubs looking at opportunities for those small micro loans or grants and incentives to, you know, get them by some of the low margins that you may have.

So, look forward to continue those conversations along with my colleagues as we move forward. And I want to do this right. I mean, that is why we are taking our time with it. That is why we are having these hearings. Everybody on these committees and in this

legislative body who represents people of this city want to make sure that we do this right.

So, I thank you for your time.

MR. ZASLOW: Thank you, Councilman.

COUNCILWOMAN SANCHEZ: I would like to recognize Councilman Oh.

COUNCILMAN OH: Just your reaction. I think we are going to have to start thinking out of the box. And of course, Councilman Henon is leading the way here.

But from what you are saying, it seems that we would have to provide some type of incentive to get a license, some type of disincentive if you don't have a license both on the side of landlords and tenants.

So what -- for example, if a landlord has to go to court or have to have some services or fees paid, it seems that they should have a lower, for example, fee if you have a license or if you are doing an eviction you are processed faster at a less of a cost if you have a license. If you don't have a license, you may have to pay a penalty when you file in court.

But what can we do to also encourage

without burdening tenants, the idea that they are better off if their landlord is a licensed landlord?

MR. ZASLOW: Councilman, it's really a pleasure to hear thinking of that kind. We do concur, of course, that there needs to be incentives as well as we recognize -- although we don't like to about it because we are the recipients of the stick -- there can be a stick also. You cannot evict a tenant in Philadelphia without the license.

There are people that go to evict a tenant without a license, and they find out they need a license, a business privilege and a housing license. The system catches them. These new case law which seems to be indicating on the Common Pleas level, at least, that the tenant may have a right to back rent to some extent if you have an unlicensed property.

The sticks are there. It's really a matter of the city finding the unlicensed landlords. And we are offering our ideas to do that; putting a notice on water bills, putting a notice on tax bills, advertising it in certain

fashion to make sure that people have licensed properties. We have joined the train on that. We stand for good licensed landlords, and we want to participate in doing that. People can and should be fined.

The Councilman mentioned the name of a notorious landlord. Utterly unacceptable. If not but for him, perhaps Dr. Levin wouldn't have some of the problems that she has, and we know that. So, we are partners in looking for incentives to be recognized, the six are necessary for those who misbehave.

But the general culture of not recognizing that property ownership is a small business, it's a small business like a corner grocery store. And small business people need governmental assistance but not the constant stick. The stick is called for, but there has been over emphasis on punishment in the city without today's type hearing, which we are so appreciative of all of you.

And I know each of you personally are so interested in being good to small business people that you are talking to us for the first

time in decades to recognize what can be done for this small business.

You asked about how many unlicensed properties there are. The statistics are pretty clear. They say that 47 percent of the people in the city live in rental properties. So, take 47 percent of the total number of properties. I don't know what that is, 500 and something. The 47 percent is 200 and something. And ask your L&I Director how many licenses do you have.

It's a small number. I think it's like 70 if I'm not mistaken. I don't want to be quoted. I'm not sure. You are missing 180,000 licenses. You multiply that times the cost of the license, there is real money to be made and real people to bring into the system so that we can help educate them to be good landlords. But we also need to stand firm protecting good landlords from overly burdensome regulation and the failure of government to be of assistance to property owners.

It's all money. If you throw enough money into any vacant lot or piece of real estate, it can become the Taj Mahal. It's all money. I

think we need to focus on where the money is coming from, where it should be coming from, the unlicensed landlords and where it is going. Because it's not going to the 47 percent of people who are tenants.

COUNCILWOMAN SANCHEZ: Thank you. Did you have further question, Councilman Oh?

COUNCILMAN OH: No, I did not. Thank you very much.

MR. ZASLOW: Thank you, Councilman.

COUNCILWOMAN SANCHEZ: Councilman Jones.

COUNCILMAN JONES: Thank you, Madam Chair. One of the reasons why this hearing was so intriguing to so many members of Council is that it's a city-wide issue. In the Fourth Councilmatic -- I hear about Kensington and I hear about other areas in here. But I have a issue that spans the spectrum in a couple of respects.

On one end of my District we have seen post-recession a higher increase of properties owned by outside investors, not you. I see you every week or every other week. You're frequent. But these are folks that have

nameless P.O. Boxes. They have bought properties where the former owners are now tenants, literally. You don't have to leave, I just bought your house. We are going to jack up your rent a little bit, but now your savings, poor and salary rich folk that are captured in these areas. So that is on one end of my spectrum. And so, a proud community of high degree of homeownership is now besieged with not so nice landlords like you. And your testimony was riveting to me.

On the other end of the spectrum, I have up and coming neighborhoods like East Falls and Manayunk and Roxborough, even, that are some of the best small towns in Philadelphia. Even Wynnefield and a slight part of Overbrook Farms that are besieged by student housing where they -- where I listened intently to cross referencing what is going on a gas bill to what is going on, on the property ownership and trying to triangulate and figure out who is really living there and whether it's an underground rental property. We are going to take that into account particularly on town and

gown issues I have.

What I sense is that we, as Councilman Sanchez said, we have a complex problem that will require a complex solution. And it will require all of us with a joint approach. That we should not kill the goose that laid the golden egg in Philadelphia. We need quality rental properties. It's a fact. But we also need to look at what other cities have done, taking good examples and best practices where we can. And then taking bad examples of what we shouldn't do from places like New York, from places like DC, LA, Baltimore, for that matter, and Washington.

So, what we want to do is figure out a -- not a stopgap solution, but a long term fix that kind of involves a couple of agencies. OHCD, obviously, we need to rethink how we are spending our dollars to maximize those dollars to touch as many people as possible.

Obviously, L&I are players. I understand sometimes they are between a rock and a hard place and can't say everything they want to say. I understand how that game goes. You get a

budget, you are told that is what your budget is. If you are not a team player, you wind up not being on the team. So, we get it. As Council, we need to be part of that to help them out in spite of what they say at testimony, but give them what they need to operate.

Organizations like TURN have to be involved. They are the flip side of your coin representing the tenants. We need law enforcement. We have to elevate these quality of life crimes to a point where if you -- under the book and window theory. If you have people stealing copper, then you have a whole plethora of other crimes committed by them and probably by many of the same people. So, we need to use that as a signal to a greater problem.

At the end of the day, we need to -- we need to work together. If we don't do this, this back and forth will accomplish nothing other than hard feelings and poor neighborhoods. So, I am thankful to Councilman Henon. And I understood at his opening statement, this is not the end. This is the beginning of a long process that may take us a couple of budget

cycles to get through. But as long as the dialogue is open and honest, which I have heard today, open and honest and people willing to take constructive criticism even us -- God forbid, that we actually listen to people -- that are trying to make a living.

So, what I am encouraged about with this is that Councilman Henon and Councilwoman Sanchez who represent a large part of that population are willing to take this on. By virtue of the fact that as many people that have been here from Council, we are willing to work with them. So, this is not the end, the beginning. And I am looking forward to what comes out of this, a group that works together to solve this.

So, I heard you real loud and clear.

MR. ZASLOW: Thank you, Councilman.

MR. LEVIN: Thank you.

COUNCILWOMAN SANCHEZ: Thank you all for testifying. We are going to -- for the sake of timing, we are going to go to our landlords. I believe we have present Mr. James Walsh and Mr. Raymond Hogeland from Choice Rentals.

Councilman Henon, did you want to comment

before they came forward?

COUNCILMAN HENON: Thank you, Madam Chair. Just wanted to ask the Chair for the opportunity to ask a series of quick questions before yielding time to one of the members.

COUNCILWOMAN SANCHEZ: Going to let them speak first?

COUNCILMAN HENON: Yes.

COUNCILWOMAN SANCHEZ: I don't know if you have written testimony. Good morning.

MR. WALSH: I am James Walsh.

COUNCILWOMAN SANCHEZ: Do you have written testimony?

MR. WALSH: I do not.

COUNCILWOMAN SANCHEZ: Okay. You can begin.

MR. WALSH: Well, basically, I wasn't prepared for this meeting. I mean, I was aware that these hearings were going to be going on. And I was very surprised that I was brought in. But after talking with Councilman Henon, I was informed that this was a forum to get everyone working together regarding the issues of landlord tenant and problem properties.

I have quite a number of properties in the City of Philadelphia. I am a licensed owner to the properties. I am also a member of HAPCO. I have addressed City Council at the Led Hearing. I don't hide from my properties. I don't consider my properties to be a bad thing for the City of Philadelphia.

When I renovate my properties, I go in. I gut them. I am not someone that will put a drop ceiling over bad plaster. If there is something wrong with my properties, they end up being the nicest properties on the block when I am done.

There are a number of CLIP violations that I do receive over the past several years. We pay an average between 5 to 9,000 dollars a year in CLIP violations. But there are number of violations that we refuse to.

Pay. Our only remedy for the CLIP violations is to file an appeal on the CLIP violations, and then you go to a hearing. And the person's authority at that hearing is only good enough to take it back to the original fine, which is what we were contesting in the first place. So, the only remedy at that time

is to let it run its course and get before a judge at Municipal Court who will dismiss the issue. And we do that on a number of occasions. And a hundred percent of the time when we get before the judge, the CLIP violation is dismissed.

I didn't know if there are specific properties that you had questions about, or is there something you wanted to discuss. But as I stated, I don't have anything that I was given to bring reports on. So, I didn't know what I was going to be addressing today.

COUNCILWOMAN SANCHEZ: Well, thank you Mr. Walsh for coming in.

I will recognize Councilman Henon. He does have some questions for you.

COUNCILMAN HENON: Thank you, Madam Chair. And, Mr. Walsh, thank you. I appreciate your attendance here today. Again, can you state your name for the record.

MR. WALSH: James Walsh.

COUNCILMAN HENON: I have a series of questions. I'm just going to run right through them quickly here.

Do you live in the City of Philadelphia?

MR. WALSH: I do not.

COUNCILMAN HENON: How many properties do you own in the city?

MR. WALSH: Just under 500.

COUNCILWOMAN SANCHEZ: 5?

COUNCILMAN HENON: 500. How many in the Sixth Councilmatic District, in the district which I represent? Do you know that?

MR. WALSH: Maybe 20, 25. In around there.

COUNCILMAN HENON: Do you do business as a landlord under any other name, or is it all in your name?

MR. WALSH: I have a partner William Lubland. Some of our properties are owned as the Lubland Walsh Partnership.

COUNCILMAN HENON: How long have you owned and rented the properties in the city?

MR. WALSH: Close to 30 years.

COUNCILMAN HENON: Do you have Housing Inspection -- HIL licenses, Housing Inspection Licenses for all the properties in the City of Philadelphia for all your properties.

MR. WALSH: The rental licenses?

COUNCILMAN HENON: Yes.

MR. WALSH: Yes.

COUNCILMAN HENON: For all of them?

MR. WALSH: Yes. Some -- we pay for them in bulk, so there are a few that do get missed. Either the Landlord Cooperation Program from PGW will notify us that our license was not renewed. When we do get notified of licenses that have not been renewed, we do go in and have them taken care of immediately.

COUNCILMAN HENON: Are you tax current or in payment arrangement for each property that you own?

MR. WALSH: We've come across a few that are behind on taxes. And as HAPCO had stated, it's very hard to borrow money now. So when properties sell, properties that we are renovating to sell, they sell. If there are properties that are delinquent, the properties are paid.

But there is -- out of the 500, there is maybe 15 or 20 that might have taxes owing.

COUNCILMAN HENON: Do you own any vacant lots or vacant properties, abandoned properties

or they all occupied?

MR. WALSH: No. They are all -- we do own one or two vacant lots. Not in the Sixth District, though.

COUNCILMAN HENON: Do you have appropriate licenses for the vacant lots?

MR. WALSH: Yes. Vacancy license?

COUNCILMAN HENON: Yes.

MR. WALSH: Yes.

COUNCILMAN HENON: How many property violations have you received city-wide on your property.

MR. WALSH: Well, we get violations every month. Just last week someone stole our rain gutters and downspouts on a property at -- near F and the Boulevard. So, last week we got that violation. It was fixed this past Saturday.

We have three full time crews that take care of all of our repairs that once we do get violations, they are out there immediately.

COUNCILMAN HENON: Do you know how many in the Sixth District?

MR. WALSH: Any --

COUNCILMAN HENON: Any violations?

MR. WALSH: Well, I am sure we have.

COUNCILMAN HENON: Okay. When you receive a violation, how many days does it take till you address the issue?

MR. WALSH: Well, it would depend on the violation. If it's imminent danger, immediately. That day as soon as we receive the violation.

As a matter of fact, I have several of the L&I vio -- L&I inspectors on my cell phone. And they contact me directly if they have an imminent danger issue. Your typical housing code violation, it's responded to within a week or two at the latest.

COUNCILMAN HENON: Okay. I have two -- two final questions here since there is not a lot of members up here at this time.

Do you agree that code violations and property maintenance issues and tenant issues have an impact on the neighborhoods' morale and property value?

MR. WALSH: Definitely.

COUNCILMAN HENON: In my conversations with some other property owners in the Sixth

District -- I am going to specify that in the Sixth District -- the payments for fines from L&I and CLIP and the Streets are described as -- I am going to quote this, "the cost of doing business."

Is that an accurate statement?

MR. WALSH: I don't believe it to be. And one of the reasons is you earlier today Council brought up the Coyle properties.

We were approached by two of the lenders that had financed the Coyle properties about four and a half, five years ago. We were in negotiations to take over those 500 properties and bring them into code.

But the City started their Blight Initiative in that lawsuit, and we didn't want to take over those properties for fear that as soon as our name went on the properties and we were a viable owner other than Coyle, the City would come after us very hard and fine us and violate us -- give us violations and would make the properties unsustainable.

COUNCILWOMAN SANCHEZ: I have to just go on the record because I've been dealing with these

properties. What those banks wanted us to do was waive fines and fees and bills that they owed. We were unwilling to do that unless it was going to lead to a homeownership opportunity. And so, those houses owe, you know, hundreds of thousand on water and gas and everything else.

MR. WALSH: Oh, I understand that.

COUNCILWOMAN SANCHEZ: Yeah. And the banks just made a bad deal.

MR. WALSH: Just saying that --

COUNCILWOMAN SANCHEZ: No. But you're making it appear we in the City, we were willing to try to work with the blanks as long as they followed through on some of those rent to own. We were not going to waive hundreds of thousands of dollars for a bank that was irresponsible.

MR. WALSH: I understand that. But I was just saying we didn't want to get in a situation where we took over a number of vacant properties. I mean, the vacant property licenses alone would have been burdensome to try and renovate those properties.

COUNCILWOMAN SANCHEZ: Okay. He has a

final -- no?

COUNCILMAN HENON: I don't have any final questions. Thank you.

COUNCILWOMAN SANCHEZ: Okay. They -- you have anything to --

MR. WALSH: I did have one other thing. I've spoken with -- you know, the City is going over blight and vacant properties and how they damage property -- or neighborhoods and bring down values.

One of the prominent attorneys in the area that does a great number of foreclosures in this area has met with some people at the City. What the banks are doing, if they find a vacant property that has a number of taxes and water bills and gas bills on them that are just going to make the property unsustainable, they just tell the attorney to stop the foreclosure. Just let it sit there.

COUNCILWOMAN SANCHEZ: Uh-huh.

MR. WALSH: So, the property will sit and run its course until it goes to tax sale 10 or 15 years down the road and the bidding will start at $200.

The attorneys approached the City and said why don't you work with the banks and discount what they owe on the taxes, the water and the gas at this period before the sale. And the banks will, at that point, take them to sale, take them back and then sell them to an investor. If you don't do it, the banks is going to just let the property sit there with the loan on it until it runs its course to tax sale.

And that's hundreds and hundreds of properties a month that the banks are just saying let them sit there. We are not going to take them back because they don't want to deal with the problem of the vacant property with the City of Philadelphia. That in itself would solve numerous problems for the City.

COUNCILWOMAN SANCHEZ: Well, we -- we are in discussions. And unfortunately, because of everything else that is going on, on our -- the vacant land -- and I am -- I am the key sponsor of vacant land -- Land Bank Bill.

But what you just described is a situation where we are going to let the banks continue to

be profitable out of our housing crisis. And they get away with not paying what they -- what they owe. And that's irresponsible -- they are irresponsible. The banks have been irresponsible.

We -- again, the City is committed. And I think part of the vacant land discussion is how do you turn, get properties back to use. But we are not going to sit here and let the banks get away with not paying what they owe, and then letting the taxpayers subsidize their profit margins. It's just not going to happen.

MR. WALSH: I understand your point of view. But it is not the bank that is profiting. The bank is just going to say get rid of it.

COUNCILWOMAN SANCHEZ: No. They want us to wipe their debt.

MR. WALSH: It's going to sit there. And it's going to damage the city. It's the homeowners debt. The bank is stuck in the same position the City is because they have a debt on the property. They are not profiting from it. They are just trying to move it along.

COUNCILWOMAN SANCHEZ: And that's why we

have a foreclosure -- a mortgage prevention program. And if they -- if they came into Council, into Court and tried to work with keeping some of these people in their homes -- but some of these banks, and you know, we have seen it all in the news, really want to make the top of the line money on -- on what is a crisis for everybody.

We hear their profit margins, Bank of America and all these guys are making millions and millions of dollars and creating problems for cities like ours. It's not what -- and that is part of our discussion when we're talking about the land bank, is not that -- that we want to say it's zero sum gain. But they can't come in here and expect to make the same amount of money. They want to walk away with all their fees they made, all the up front fees first. They want to walk away with all of their money and leave the city with their vacant land.

I agree with you. That's the decision they make every single Thursday in our court upstairs. And they prefer to see people homeless than to modify some of these loans and

give people an opportunity to stay in these homes. And so, it's a complicated situation. But some of these banks are just -- the taxpayers cannot subsidize these banks.

MR. WALSH: I understand. But this is just on vacant properties.

COUNCILWOMAN SANCHEZ: No. No. We are talking about vacant properties. And that's why I think we need a strategy that -- that allows reuse of properties. But we're not going to -- the City will consider debt reduction if it's going to lead to someone having a home. We are not going to do to increase someone's bottom line. It's just -- it would be totally irresponsible.

Councilman Henon.

COUNCILMAN HENON: Thank you. Mr. Walsh, you said that you receive multiple or violations each month.

MR. WALSH: Yes.

COUNCILMAN HENON: Why does that happen?

MR. WALSH: CLIP violations. Trash on the sidewalk, trash out early. It just -- a few weeks ago we had a property on Walnut Street.

It's a three bedroom apartment. The tenant left, left everything in there: Mattresses, box springs, dressers. On Walnut Street, you are not allowed to get a dumpster. You can't block Walnut Street with a dumpster. You have to do what is called a load and go.

So, we had a crew at the property from seven o'clock to twelve o'clock loading all the mattresses, box springs and everything at the curb so the truck could come at twelve, we can load it and go. A CLIP agent came along and gave us seven violations for having trash on the sidewalk, excessive weight, failure to hire a private hauler, trash on the lawn. Seven violations.

At twelve o'clock the truck came, trash was gone. We have $450 in fines. It's the only way we can get the trash out of the house. We are getting violations for doing what we are supposed to do. The next day we didn't get it all out. We have to do the exact same thing. The exact same inspector came along, gave us the same violation. So, we have $900 in violations for two days.

We have receipts from the private hauler that took the trash away. This is a case that we will not pay, and it will have to go to Municipal Court and be dismissed by a judge.

So, there has to be a mechanism somewhere in the middle where we can sit down with someone with authority that can say this is not right, this will just go away.

COUNCILMAN HENON: Mr. Walsh, you answered a question previous that where property maintenance and tenant issues have an impact on the morale and property value. And you said yes. And I understand you were giving an example of Walnut Street.

When it comes to residential neighborhoods and you keep getting violations when you know that it affects the property value and the morale of the neighborhood, how do we break that cycle? How do we break the habitual violations?

MR. WALSH: Well, I disagree with the representative from Community Legal Services as to the time frame of an eviction and as to basically what happens at an eviction.

When you file a proceeding to evict a

tenant and they call an activist group for tenants. And I have done this myself posing as a tenant being evicted. You are instructed that if the property has a code violation, your landlord can't collect rent. So therefore, they can't evict you.

So, the person I was speaking to actually told me you have to have a code violation in your house. And I said, well, I don't. They said you don't have a cracked window, you don't have a lock with a key from the inside, because they are code violations. If you call L&I, your landlord can't collect rent.

So, when you are evicting a tenant, nine out of ten times you are going to get ten or twelve violations from L&I. That is an attempt from a tenant to stay in a unit as long as they can. So, violations come all the time.

I have a problem with a neighbor who isn't happy that he has a rental property on his block, so he calls the City for everything. The gentleman next door was taking his hose out and ripped our downspout down. Laid the downspout next to our house, and went in and called the

City and the next day we had a violation on it. When I went out, the neighbor told us, well, he ripped it down. I can't -- I am not 100 percent sure it was him who called. But there was a downspout down one day, and I have an L&I violation the next day. I can put two and two together.

So, how to make those type of violations stop? I don't know what the answer would be. The violations -- if you think that there is a house on this street that is getting repeated violations every month, it's not that way.

As I state, we purchase a lot of properties from banks. When you buy these properties, they are in need of repair. A lot of them come with violations. If you look over a lot of our properties, all the violations have been complied. So, it's not like we run from the L&I violations, and we are not the cause of them. We do go in and fix them. And we fix them in a workman like manner and make the nicest properties on the block.

COUNCILMAN HENON: I think our intent is to stop the violations, not necessarily have them,

you know, paid or resolved. You know, we are trying to go through this process here with a whole lot of collaboration with many people and agencies to stop the habitual violations over time.

I have no further questions.

COUNCILWOMAN SANCHEZ: Thank you. Thank you.

Mr. Raymond Hogeland?

MR. HOGELAND: Yes. Good morning.

COUNCILWOMAN SANCHEZ: Thanks again for coming. Shows that you do care about what is going on. We appreciate that. You may proceed.

Say your name for the record and then proceed.

MR. HOGELAND: Raymond Hogeland. First, for the record, if I may, just by showing up here I don't want to be construed as one of those problem landlords. I called it the Coyle Effect. People have eluded to Mr. Coyle earlier. We are feeling that ourselves, okay. Not only from the standpoint of these type of things like L&I violations and, you know, the conversations here today. But I am also feeling

that "cool it" effect from the lenders that were involved with Mr. Coyle. And they are wary of us now, people that own properties like we do. Some of them are financed with the same banks that he was with.

I think somebody from HAPCO earlier made the point that we have lenders who are walking in our office and saying, we want our money back. We want to be out of this business. And it's put a real constraint on what we do.

I don't think anybody in our business can have as many properties as we do and not have L&I violations. It's impossible to stop them. There are so many reasons why they get put on. A tenant wants to stop a process, they will call L&I. There are plenty of tenants out there that have legitimate gripes. I believe that. I would be naive to think otherwise.

But the landlords get this connotation that we are responsible for everything. The tenants behavior is never discussed. In other words, the violation that I am now paying for was caused by them. Now, of course, that's up for me to deal with the tenant on that, you know, in

parsing out who was wrong in that situation. But once that gets into this system, I am stuck with it.

I will give you -- I don't like doing war story, but I will give you one example.

I had a new tenant in a property in South Philadelphia. The house was rent ready. She moved in. She immediately had a few issues. We addressed them right away. The following week she had a broken sewer line. She called L&I before she called me. Unfair? Of course. You know, I had already addressed her other issues immediately. I gave her no reason to suspect that I wouldn't deal with that issue, but she called L&I.

The violation is still on record even though I complied. I am going to deal with that violation for the next eight or nine months. Just trying to get it off of there just because of problems with, you know, getting reinspections or problems with the judicial end where it's complied but they won't take it off of the record. You know what I mean? We have to deal with that day in and day out.

There are plenty of situations, I am sure, where my tenant had a concept that I wasn't willing to do something immediately. And it was a failure to communicate maybe. All of the violations that are on record against my companies, I would say, 90 percent of them are complied. They are just not being taken off a record, or we're still trying to get reinspected, you know what I mean.

Somebody eluded to earlier about not allowing a rental license if you have open violations. What do I do when the violation is complied? I can't get the license. But it's still on record, you know what I mean? Now I am going to lose eight or nine months rent because of that situation. I don't know whether that is fair to us.

This resolution, I have a concern where it says about the 20 percent lower values in areas of properties have L&I violations or tax delinquencies or rental license citations. I don't want to be naive. I am sure that has an effect on the area and on the values. I am a lot simpler than that.

When you have an economic malaise that we are in and then you have, you know, foreclosed properties all around you sitting vacant, the values are going to go down. I have had cut appraisals on properties that I have been trying to sell where the values have come in less than what I tried to sell it for. Not one of them mentioned because there was L&I violations on some landlords down the street or there was tax delinquency by the landlord down the street. They cut the value because the values have dropped overall. This is what has happened.

I am not saying that that Ph.D. that was here earlier, I am sure he has the correct facts and figures. I am a lot simpler than that. My L&I violations, whether I am openly fighting them or not, I don't think are contributing to that neighbor's loss in value the way this states it. You know what I mean? I don't feel as though -- how many more problems is a landlord take on that are our issues? You know what I mean?

We are already responsible for the tenants, their behavior, their trash, their weeds. How

much more do we take on? So, that just concerns me as a landlord that that is how you guys perceive that we are contributing to the value loss in a certain neighborhood.

I fight every day. I just hired a young man from my office whose sole job is going to be chasing down the L&I violations, the review, the reinspection and then getting them off of the record. I want to sell these houses at some point. In order to clear the title, I got to get rid this stuff. I can't have that, you know what I mean?

COUNCILWOMAN SANCHEZ: Thank you. Councilman Henon.

COUNCILMAN HENON: Thank you, Madam Chair. Thank you for coming in. I am glad -- I am glad to hear that you hired somebody. I hope our conversations and, you know, these -- these types of discussions had a little something to do with it. But I am going to ask you the same questions that I asked Mr. Walsh.

And I'm going to start off, can you state your name for the record.

MR. HOGELAND: Raymond Hogeland.

COUNCILMAN HENON: Do you live in the City of Philadelphia?

MR. HOGELAND: Yes. Mayfair.

COUNCILMAN HENON: How many properties do you own in the City?

MR. HOGELAND: I am involved with almost 300 properties with LLCs. Not none of them are in my personal name.

COUNCILMAN HENON: Okay. We'll go through that.

Do you know how many are in the Sixth District, Councilmatic District which I represent?

MR. HOGELAND: Approximately, 20.

COUNCILMAN HENON: Okay. On the LLCs, is each property in a separate LLC?

MR. HOGELAND: No. No. I have different partners.

COUNCILMAN HENON: What are the names of your LLC?

MR. HOGELAND: Choice Rentals, LLC.

COUNCILMAN HENON: Is that it?

MR. HOGELAND: No. Principal Equities, Incorporated.

COUNCILMAN HENON: Okay.

MR. HOGELAND: Executive Equities; Vestmax, V-e-s-t-m-a-x, LLC; and Philavestors, LLC.

COUNCILMAN HENON: How long have you owned and rented the properties in the City?

MR. HOGELAND: It's going on 30 years.

COUNCILMAN HENON: Okay. Do you have Housing Inspection License for all the properties in the City?

MR. HOGELAND: I have the majority of them. I know I am missing some. And we are -- that is an ongoing thing that we are always trying to resolve those.

COUNCILMAN HENON: Okay. Are you current? Are you tax current or in payment arrangement for each of the properties that you own?

MR. HOGELAND: I am tax current on all but one of those LLCs. And that one is in negotiation with the City.

COUNCILMAN HENON: Do you own any vacant lots or properties?

MR. HOGELAND: I don't. No. None of the RLs -- well, let me correct that. I just lost a property by fire, so now it's a vacant lot.

COUNCILMAN HENON: Do you have -- well you don't have any of those.

How many property violations have you received city-wide and then in the Sixth District? Do you know offhand?

MR. HOGELAND: No. I really don't. I can compile those numbers, but I don't have them.

COUNCILMAN HENON: When you receive a violation, how many days does it take you to address the issue?

MR. HOGELAND: We work on them immediately. I would say within two or three days it's either been repaired or there is a date set with the tenant to repair it.

COUNCILMAN HENON: Okay. Now, same question again.

Do you agree that code violations and property maintenance issues and tenant issues have an impact on our neighborhood's morale and the property values?

MR. HOGELAND: I agree to extent. I still don't feel as though they are the major impact right now on property values throughout the city. I think they are a contributing factor,

but I don't think they are the major impact --

COUNCILMAN HENON: Okay.

MR. HOGELAND: -- on property values right now. That's just the way I see it.

COUNCILMAN HENON: Okay. In my conversations with some other property owners in my District, I want to say my District specific, have the payments from fines, from L&I and CLIP and Streets are described as -- and I'm going to quote again, "the cost of doing business."

Is this an accurate statement?

MR. HOGELAND: Not from me. I don't want that cost. To me it's aggravation. I want the cost to go away.

COUNCILMAN HENON: So, why did -- why do you receive the violations that you do? Why does that happen?

MR. HOGELAND: There are various reasons. You know, that example I gave earlier with that young lady. A great many tenants have become educated that, you know, you don't like what is going on, you turn them in. Any inspector can walk in any house and find something wrong. Once the tenant gets them there, you know -- I

can only point to one example where the tenant got an L&I inspector out there and he couldn't find something. But the mentality was, I was coming down on her in particular for nonpayment of rent. You file the violation, you stop the eviction process.

You know, have I had legitimate L&I violations where the tenant was right? I am sure that's happened. I am not going to be arrogant enough to say that we haven't had some neglect. But for the most part, you know, I am protect -- I want to protect my investment. I took enough risk putting an unknown stranger in charge of the investment, you know what I mean? I went out an invested X-amount of thousand of dollars in a piece of real estate. And I put somebody in the care and control of it that I hardly knew. I only have an application that says they are good people.

You know, we are trying to protect our investment. Eventually, I want to sell this and move on.

COUNCILMAN HENON: Just to clarify. For the record, you are stating that it's not your

responsibility to protect and preserve the values of our neighborhoods?

MR. HOGELAND: No. No. No.

COUNCILMAN HENON: Is that what your statement was?

MR. HOGELAND: No. No. That's not what I said.

COUNCILMAN HENON: Do you have maintenance crews?

MR. HOGELAND: Say it again.

COUNCILMAN HENON: Do you have maintenance crew for your properties?

MR. HOGELAND: Of course, yeah. Last year, if I may, I brought those figures. I spent $186,000 on repairs and maintenance on my real estate. The majority of my real estate is in Philadelphia. We have some outside of Philadelphia. That money had to go somewhere, you know what I mean?

COUNCILMAN HENON: You both state -- you both stated for the record, just want to remind you, that you have crews. CLIP's history show that both have violations after violations for high weeds. And, you know, that -- you know,

that the grass grows.

Is there a way we can stop getting those violations since you have crews?

MR. WALSH: Well, I would like to comment on that. When I came into the Council's chambers today, I was approached by liaison from one of the other City Councilmembers who had an aerial photograph of one of my properties. And he lives on the block. And he said there is a vacant lot next to my property, which is not mine.

He did some research. He found out that there is a number of CLIP violations for high weeds. He said the violations are on the vacant lot next to you because it abuts right up to your house. He says they have all been complied, but our tenant is complaining that people are walking dogs on that vacant lot. He wants me to address to my tenants to stop arguing with the people that walk their dog on the vacant lot.

However, he did reference that a number of the CLIP violations are on the lot next door to mine, but they are addressed to me. So, for you

to say how can we stop this, how do I stop them from violating the lot next to me but writing my address on it? How can I address that?

COUNCILMAN HENON: I understand from what you are saying here, that may be an isolated circumstance. But in a grander type of habitual violations for high weeds and grass and things like that which effects the quality of life in the neighborhoods which you have a concern with, I know you had mentioned that earlier.

MR. WALSH: Yes.

COUNCILMAN HENON: You both have crews. I would like to try to, aside from extenuating circumstances, which I am holding you true to what you say there. We would like the violations to stop and stop being habitual. And we are trying to change behavior. And if somebody has it within their -- within their crew or their operation and their ownership and their business, all right, to do that, I am asking, you know, that something be done.

MR. WALSH: We do. I do have service crews. We have lawn services that take care of everything. But you have days where sometimes

it rains five days straight. They just can't get out there. Well, the landscapers can't get out there that quick, but the CLIP crew is there the day it's raining.

COUNCILMAN HENON: But the grass has got to be pretty high in five days.

MR. WALSH: It's 6 inches. And I am telling you, we get violations for 6 to 8 inches. I just received six violations for not shoveling sidewalks.

COUNCILMAN HENON: I'd keep getting a haircut every two weeks if that were the case. That's a joke.

MR. WALSH: I just received violations for not shoveling snow. And I pulled up our snow accumulations.

First of all, the violation has to be minimum of -- max -- minimum of 4 inches deep. We didn't get any snowfall last year that was 4 inches deep; yet, I got violations for 8 or 9. And I just received them recently for not shoveling sidewalks. That's another thing. They might write a CLIP violation today, you might not receive them for three or four months.

COUNCILMAN HENON: We will have an opportunity to address the City Departments and ask those questions. Hopefully, you will get an answer. But if you have crews, hopefully, they can maintain the properties and protect our neighborhoods.

I have no further questions.

COUNCILWOMAN SANCHEZ: Thank you. Councilman Jones, I mean, Oh.

COUNCILMAN OH: I would be the Majority Leader, but.

COUNCILWOMAN SANCHEZ: Sorry.

COUNCILMAN OH: Okay. I just want to kind of go over a couple things that you said and then just ask you a couple of questions.

From what you were saying is that the CLIP violation process would be more efficient if there was an administrative hearing where someone could actually dismiss a violation that was not found to be legitimate; is that correct?

MR. WALSH: Correct.

COUNCILMAN OH: Okay. And that would save time and unclog our Municipal Court and things like that.

MR. WALSH: Would save the docket a lot of time. Because I take them all to court.

COUNCILMAN OH: What is the fee that you pay when you take them court?

MR. WALSH: I don't pay anything. They serve me. They bring me to court on the violation.

COUNCILMAN OH: Is that pro se? Do you hire a lawyer? Do you just go in by yourself?

MR. WALSH: I go by myself.

COUNCILMAN OH: Okay. Talk to the judge.

MR. WALSH: The one property, Judge Moss knows me. He actually says 60th Street. I say yes. He says dismissed before we even say a word.

COUNCILMAN OH: Okay. You were having discussion, I know not about yourself, but just in terms of the process with the banks that if you were to look at a property that appeared to be heavily violated or to be likely to be violated, there may be something like a grace period from the date of purchase which would give you certificate where you wouldn't get any violations within a certain period of time in

order to encourage you to purchase it and repair it?

MR. WALSH: Well, that would alleviate a lot of the problems. But the new Blight Law for the $300 violation per window for window and door, I know that there is a lot of mutual funds right now that are buying lots of properties from lenders. And they are excluding Philadelphia properties for that specific rule.

Because if you have $300 per board on a window and door, a front of a house could be 16, 1,800 dollars a day. And the back of the house could be $1,800 a day. So at $3,600 a day, if you go one month, you are almost at $100,000 in violations. So the banks and the mutual funds that are buying blocks of property from these lenders -- Fannie Mae and Freddy Mac -- to sell to investors are actually limiting and not purchasing Philadelphia properties because of rules that are in place here.

COUNCILMAN OH: Okay. So, in addition to those rules, it may be something where the fine that is on the books currently would be paid upon sale. So there would be a deferral of

those fines and penalties encouraging the sale. Once at sale, then the City would get its money.

MR. WALSH: Deferring the fine?

COUNCILMAN OH: Deferring the payment of the fine. In other words, the discussion you had with Councilwoman, the Chair, is about whose responsibility, the banks and then the homeowners' debt and then the City's desire toe collect both the money owed for the utilities which is on behalf of the citizens of Philadelphia.

MR. WALSH: Correct.

COUNCILMAN OH: And the desire to move this property forward. If there is money owed on the home which is a homeowner's debt.

MR. WALSH: Correct.

COUNCILMAN OH: Which the bank is stuck with, the ability then to basically take this amount of money and set it aside to allow for the active sale of the property, not to violate it but to defer the violations until after the sale when the City would get its money or a portion of its money.

MR. WALSH: I don't know how you would

defer it. The way the bank looks at it is if they have a $20,000 debt and the property has $10,000 in taxes, which $7,000 of it is interest and penalty and the same thing with the water and the gas, the bank is going to say we are not going to do it. The bank is not profiting from it. It's going to be inactive. We are not going to do anything with it.

The bank is in the same boat as the City. The bank is owed money, and the City is owed money. They are trying to move it along so somebody can get something. They are not looking to profit from it. They just want it off their books.

COUNCILMAN OH: Okay.

MR. WALSH: They just want to move it along.

COUNCILMAN OH: But whoever purchases that property has to satisfy that debt?

MR. WALSH: That is why they are not moving it along because the debt exceeds the value of the property. So eventually, no one is going to satisfy the debt. And somewhere down the line the City will take it to tax sale. And the

bidding will start at $200. Five years down, six years -- ten years down the road, the City might get $1,000 where they would have gotten 5,000 today if they would have discounted.

COUNCILMAN OH: All right. Okay. I appreciate that. Let me ask you about this.

What about repairs in lieu of rent? If a good tenant has got a pro -- a legitimate problem, the tenant has the option of not paying rent but repairing certain types of defects or problems within the property. Now, that usually is not employed because of legal reasons, but that could be in the contract. I know it's a business person's risk.

But, you know, that's an issue of for some of these things where if it's a $300 problem, instead of getting a violation, the landlord would agree that the tenant could just purchase the repairs.

MR. WALSH: I can't speak for Ray, but I have a number of properties myself where the tenants a lot of times take that on themselves. And when they mail the rent in, they will mail in a receipt from Home Depot and say I fixed

this or I did that. And I don't go after them for that if it's a legitimate cause.

COUNCILMAN OH: You've been notified. You are fine with it, they send you the receipt, things are repaired to whatever code or whatever?

MR. WALSH: Yes. And it's noted in the file what they did that way if a month from now the same repair comes up, then we go back to them for the cause.

COUNCILMAN OH: How do you think the City can take bad landlords, negligent landlords, landlords who do not repair, who do kind of encourage this unsightliness, how would you recommend that the City take these landlords to task?

MR. WALSH: I'm not sure. You know, when you guys ran that Blight Initiative, I met with them over in the Municipal Services Building. They talked about the Guardianship Program, and asked me if I would consider redoing some of the properties. They actually had photos of some of the properties we had redone. Over there, they are praising the work we are doing. Here we are

being questioned as to the ability of us being landlords.

So, I don't know how the guardianship issue is going to work or bad landlords.

COUNCILMAN OH: I will take that as "I don't know". Thank you.

Do you have any suggestions or ideas?

MR. HOGELAND: The only thing I thought of when I got wind that they were -- you guys were going to ask for some of our opinions, I thought -- I am not one to crow city government, don't get me wrong. But maybe for bigger landlords, there should be a liaison. Someone, an office that we can go to and say we're not getting done what we need to get done so you guys can stop, you know, harassing us.

Or that they can also see that this same landlord's been in court ten times in the last month. That there's obviously more intervention, you know, that is required. I don't know.

As for myself, my time is becoming less and less available to go and chase these problems down. I can't keep expanding my staff to do

those things. It's cost prohibitive to me.

COUNCILMAN OH: Okay. I'll take that as you're not sure either.

MR. HOGELAND: I'm not sure either.

COUNCILMAN OH: We are just looking for ideas. It's our job to try to figure out as much as we can. So, thank you very much.

MR. WALSH: Thank you.

COUNCILMAN OH: Thank you, Madam Chair.

COUNCILWOMAN SANCHEZ: Again, thank -- thank the both of you for coming here today. It shows that you care and that you are willing to work with us on a solution for this. So, we appreciate it.

Councilman Henon, I don't know if you had anything to add to the landlords before they --

COUNCILMAN HENON: Thank you for coming in. Look forward to continuing the conversations and discussions moving forward. I -- you know, my office and I think this Body has always been willing and will be continue -- will continue to be willing to work with anybody who is trying to make some suggestions and/or address any of the problems or situations that they have moving

forward. So, my office will be in touch personally. And, you know, we'll proceed from there.

Thank you for coming in.

MR. WALSH: Okay.

MR. HOGELAND: Thank you.

COUNCILWOMAN SANCHEZ: Thank you. We are going to now ask our community representatives to come forward: Alexander Balloon, Stan Cywinski, Meg Greenfield.

As they come up, I just want to add for the record we have some written testimony by some of our leadership: State Senator Mike Stack; State Representative Mike McGeehan; State Representative John Taylor; State Representative Kevin Boyle; Joe DeFelice from Mayfair CDC; Joe Cascerceri from HAPCO; John Kromer, who is a consultant with the Fels Institute; David Bartelt, Professor from Temple University; and William Dunbar, who is a candidate. All submitting written testimony that will be part of the record and will be given to the stenographer.

There is great interest in this. And we

want to thank our community representatives for their patience.

You may proceed. You can introduce yourself.

MS. GREENFIELD: Hi. My name is Meg Greenfield. I appreciate the opportunity to testify. What I say may not be quite polished. I did not learn about this until yesterday.

I come from East Falls. One of those fortunate neighborhoods that Councilman Jones mentioned earlier. And we have been working with him to address our problems.

I would like to say at the outset that when we did a survey several years ago of properties on the limited number of streets in our neighborhood where we knew there were rentals and we'd had problems, and it's usually because of student housing, we found that probably 80 or 90 percent of the rental properties were not registered. And we actually turned the list into Council at that time.

And it is not a question, I beg to differ, about not knowing that one must register a rental property. One of the property owners

owned more than 60 properties in East Falls. He had three of them registered. He obviously knew he had an obligation to register. So, this is not a question of education. This is a question of if I don't register them, I don't have to pay. Nobody will know about them. I probably am not reporting my income from those properties to the City. And therefore, the City is losing twice.

And I note that we have been begging. And I really wish Council would mandate that the list of registered properties be cross checked with the Revenue Department to see that people are declaring their income and that you use the resources that we offer. And we are working with L&I to give an updated list of rental properties that we are aware of. So, if that can be checked, because we have people in the neighborhood who live with these houses. And they know they are rentals whether or not they are registered.

We would also like access to an online database which will tell us immediately whether somebody is registered so we can report those

who are not. It will make your life easier. It will reduce our taxes, I hope. Because more people will be able -- will find their way to paying what they owe on those properties. And this is one where you can use community groups to help the City get its job done.

As I said, we have problems with student housing. It's an ongoing battle. Councilman Jones has been trying to help us. We appreciate it, but we have several concerns. One, we think the legislation is not strong enough. And I have very lit sympathy for the landlords in this area because we have flagrant violations of no more than three unrelated persons in a unit. We have all kinds of excuses. I didn't know. They are not on the lease. I don't care. It's your duty to know.

And what happens when this is student housing is students are not adults. They are living alone. Their brains are not fully mature. We know that. And there ought to be legislation specifically addressing people who rent to college students. It ought to be a separate category of rentals. It ought to be

regulated heavily. It ought to require, among other things, permission for L&I to go in and inspect those properties to count beds to make sure there are smoke detectors, carbon monoxide detectors and so on.

Every year our neighbors contend with a new crop of students. These are people in row homes, and they have to contend with students who just don't get it. That partying with 50 to 100 of their closest friends who happen to come back the message went out by Twitter or whatever, is not conducive to a neighborhood peace, quiet, families, working people and elderly. That this is not acceptable behavior.

The drinking up and down the street, underage drinking, urinating in people's yards, taking all the doormats off the steps, breaking people's planters, carousing generally outside or inside and disturbing your neighbors is unacceptable behavior. This is the kind of thing we live with regularly.

This is contributed to by one local bar in particular, which caters to students. And then we have the kids coming back drunk.

It is made more difficult when we attempt to reach the landlords in question. We cannot find them. If you go to the BRT records, some of them have -- we know they are rental properties. The address on the BRT record is the rental property. We think there needs to be a registry of the names and addresses of the owners of these rental properties and their agents if they live outside the City and/or the State as many of them do so that the neighborhood associations can get to them promptly and to hold them accountable.

There are problems with students in our neighborhood that are compounded by the fact that all of these students, even though they live within a few blocks of the school, a few blocks of the SEPTA station and right near buses, seem to need cars which get parked on the street for days on end or get driven up and down Schoolhouse Lane way above the 25 mile an hour speed limit to go from one campus to the other or so they can get to the gym so they can exercise.

Parking is a major issue in a row house

neighborhood. When you have three people, which is the legal limit, it's problem enough when they each have three cars. When you go over that limit, it compounds it. There ought to be a requirement that landlords who are renting to students would provide them with off street parking. I know that sounds tough, but maybe it will reduce the number of student rentals. There perhaps ought to be a requirement that you can't have more than so many student rentals in a block. Again, will reduce the impact on the neighbors.

It does not enhance property values to have a high number of student rentals on a block. In fact, it pushes them the other way. We have had neighbors who have left the neighborhood and left the city because they could not tolerate this kind of abuse. And that is exactly what it is. We try to work with the University. It's Philadelphia University. There are also Temple students in the area.

Philadelphia University is becoming increasingly aggressive with regard to student violations of the law and of -- or their code of

conduct. However, they do not do enough. And I think it would be helpful to them if they had a little assistance from the City in terms of compulsion. Make them get a better handle on their student behavior. Make the parents be on the leases. Require notices to the parents and the students of the code -- of the kind of behavior which is expected and what would be a violation. And require certain terms in leases to undergraduate students which will give the landlords the right and require the landlords to evict them when the students misbehave.

There are lots of things which can be done legally. The Supreme Court of the United States has recognized that this is a special class of renters. It's legal. Require these leases to have the tenant and the landlord agree that the City may come in to inspect so that they can't say no when L&I shows up. And please do something to give L&I the flexibility so that it can get there when the students are there and will open the door. Going during class time is not going to work. Going 7 or 8 in the morning might well work. They don't like to be awakened

at that hour. Let them be awakened.

Legislation ought to include provisions for the guests who just happen to be staying there month after month after month. They don't really live here. That also can be dealt with.

COUNCILWOMAN SANCHEZ: I am going to ask you to summarize. We still have two more panels to go. I truly am impressed with the amount of due diligence that your neighborhood association does. As Councilman Jones mentioned, these are town and gown issues that he continuously works on.

MS. GREENFIELD: We need better control of undergraduate off campus housing in single family homes or building which were intended to be single family homes if we want to preserve our neighborhoods. If we want East Falls -- and I suspect Roxborough is beginning to feel it from what I understand, and I know Manayunk feels it.

If we want these neighborhoods to be successful, residential middle class neighborhoods, we have got to make the tenants and landlords accountable. We will work with

the City, but we need the City to work with us in a much more aggressive fashion.

And I appreciate the opportunity to testify on this issue again. Thank you.

COUNCILWOMAN SANCHEZ: Thank you, again. Very impressed with your due diligence. Whoever is next. Again, I am going to ask you to summarize. We have some folks who are missing work here and --

MR. BALLOON: Thank you, Councilwoman. I -- my name is Alex Balloon. I'm the Commercial Corridor Manager for the Tacony Community Development Corporation. And we serve the Tacony Neighborhood of Northeast Philadelphia. I'll summarize my comments.

I submitted information on one particular problem property. But one of the issues that hasn't been addressed at this morning's hearing is the effect of problem properties on our commercial corridors. And one particular property can have a very deteriorist[sic] effect on our commercial corridor. It's measured by customers who don't come, businesses that relocate away and sales that decline.

This particular property, 16,000 cars a day drive by on Torresdale Avenue. And this means a real economic loss for our nearby restaurant, doctor's office, dance studio and music store. That depresses our market rents, sales prices and the vitality of our corridor. So, problem properties are -- and blight hurt us all. And it particularly effects small businesses and economic development on our commercial corridors. And we urge this Committee to take action to address problem properties.

And thank you for conducting these hearings this morning.

COUNCILWOMAN SANCHEZ: Thank you. Stan.

MR. CYWINSKI: Madam Chair, Committee Members, I have a brief statement I would like to read.

COUNCILWOMAN SANCHEZ: Your name for the regard.

MR. CYWINSKI: My name is Stanley Cywinski. I'm the President of the Upper Holmesburg Civic Association. I would like to thank the Committee for allowing Upper Holmesburg to provide this brief testimony. I believe it's

para -- I believe it is of paramount importance to the local communities like ours have an opportunity to weigh in on property issues and development of strategic solutions that may affect our neighborhoods. I would look also to thank Councilmembers Henon, Jones, Greenlee and Sanchez for sponsoring this initiative. I believe it is important for them to know that our communities appreciate their leadership and the act of involvement in our neighborhoods.

As an active community member, I have had the opportunity to hear and personally witness numerous issues associated with nonresponsive landlords and their rental properties. Some of these issues we have heard over and over again -- trash, overgrown lawns, parking, broken windows, doors, rodents, so on and so forth. Other more serious issues include drugs, prostitution and other criminal activities that tend to go on 24 hours a day.

Then we have one of the apartment buildings that I want to talk about quickly. These are structures that are usually modified to accommodate multiple families. Obviously, the

owners are trying to maximize profit, sometimes modified without permits and rarely built to code.

One example I can give on a multi-story commercial property. It was converted, the upper floors, into a multi-family wannabe, if you will. The owner used basically regular sheet rock to build party walls. As you can imagine, it didn't take long for some unsavory characters to figure out the hammer was the only tool they needed to enter some of these properties.

These issues impact our public resources and all community residents, both renters and homeowners. Rigorous and enforceable checks and balances must be developed quickly to address these complaints. If we use the same old same old approach to address these issues, they will become like untreatable cancer, destroying our city tax base as well as established neighborhoods.

Thank you for your time.

COUNCILWOMAN SANCHEZ: Thank you. Any questions for these witnesses?

COUNCILMAN HENON: Yes. Thank you, Madam Chair. I am going to ask three questions. If you can answer them as short as you can because I know time -- a lot of people have been here for a while.

What I will do is ask a question, and all three of you can answer individually, please.

What are the most troublesome neighborhood or quality of life issues that you are seeing?

I can start with the lady if you would, please.

MS. GREENFIELD: Me?

COUNCILMAN HENON: Yes. I was brought up proper.

MS. GREENFIELD: I think if we're going to put aside the traffic issues in our community, which you're not really focused on right now, that and the student housing issues with all the attendant permutations, public drinking, noise, behaviour which is just inappropriate in an -- getting in an environment where you have families with children and working people, and getting something done about it.

COUNCILMAN HENON: Okay. Thank you.

MR. BALLOON: Speaking broadly, I would say it's property maintenances. After what we heard this morning from other panelists, property maintenance is the single most -- the issue that touches all of the other issues.

COUNCILWOMAN SANCHEZ: Thank you.

COUNCILMAN HENON: Stan.

MR. CYWINSKI: I would have to agree. I think property maintenance is probably the number one issue in our communities.

COUNCILMAN HENON: All right. What is your experience working with L&I, CLIP and other departments to address community concerns or to deal with troublesome properties?

MS. GREENFIELD: L&I is trying. I mean, they are understaffed. They don't get there when the kids are there. They are not always let in the door. If they send a big burly person, sometimes he gets in the door. The students are half awake. If they go out at the right time. We need better enforcement, and we need better law to support encouraging better behavior.

We have a meeting a couple months ago with

a gentleman from L&I who said that in September if we provide the list of the known rental properties that are of concern, they will do what they can. But it's an ongoing battle. And we can't get to the landlords.

We need to be able to reach the landlords. And I don't mean by mail, because I write to them. And those letters don't come back. But 99 percent of them also don't respond or it's somebody else's fault or I didn't know.

I mean, there is one guy in a particular who is a lawyer up in Roxborough. His property has been a problem. I am beginning to think maybe I should file with the Disciplinary Board and say this guy is violating the law by having more than three unrelated people in his property. He is not complying with the law, is that a violation. Should get him sanctioned.

We just don't know what to do to get to these landlords.

COUNCILMAN HENON: Okay. Thank you. Stan.

MR. CYWINSKI: I would say that --

COUNCILWOMAN SANCHEZ: He needs the microphone.

MR. CYWINSKI: I would say that some of the major issues that we have --

COUNCILMAN HENON: This is regarding your experience working with L&I and CLIP.

MR. CYWINSKI: Oh, I'm sorry.

COUNCILMAN HENON: Addressing the concerns of --

MR. CYWINSKI: Senior moment there, yeah. Yeah. We have worked with CLIP and L&I. We have had a lot of luck. Partly because, number one, before we take an issue to one of the agencies, we have the detail required for them to go out and do their job. And, you know, we have done a lot of follow up.

We had an individual that, you know, he used to stop at CLIP, for instance, you know, a couple times a week just to follow up on issues. But I would say that, you know, if we provide, you know, CLIP and L&I the tools that they need to get their jobs done, things will normally get done.

COUNCILMAN HENON: All right. Great. Alex.

MR. BALLOON: I would agree with -- with

that -- those remarks.

COUNCILMAN HENON: Okay. What is your experience with out of town or absentee landlords?

MS. GREENFIELD: They don't care. They are unresponsive. Can't get to them. We have to dig -- I do searches to try to find the real address for some of these people and cross referencing different blocks of East Falls where the same name show up with different addresses. And I write. And I send them the educational housing ordinance. And I tell them about the No More Than Three Provision.

I might tell you this. That I got a call from a local real estate broker the other day who said she had someone -- she frequently has, and we met with the University, about the students that come in with their parents and say, oh, what do you mean no more than three unrelated. We never heard of such a thing. It's not really true. The other real estate people don't say it.

Then I had an e-mail from someone who was referred to me who said he was a medical

student. And what is wrong with having five medical students who are quiet in a big house. Can't we get a variance. I said we can't make exceptions on a case-by-case basis. A variance would run with the property.

This is -- the City maybe should put out a pamphlet about what you need to be doing. We've tried to do it, but people don't want to believe it. They don't want to follow the law because they are different.

COUNCILMAN HENON: Okay.

MS. GREENFIELD: Out of city, out of state, impossible.

COUNCILMAN HENON: Thank you. Stan.

MR. CYWINSKI: I would say one of the largest issues is we tend to get a lot of lip service. Okay. There is no accountability. There is no rules in place that they can force that accountability. We have had landlords come to our meetings, for instance, on issues when they need something. And then when you press the issue of, how do we get in touch with you or what is your contact information, you will get a name. You'll get a phone number.

And you know what, I have reached out to some of these folks. And they got their zoning approval. They could care less.

COUNCILMAN HENON: Okay.

MR. BALLOON: They are very difficult to reach not only with, you know, problems but also with incentive. We are doing a large storefront grant program. And it's hard to -- we have these resources that we want to put into properties and they are very hard to reach.

COUNCILMAN HENON: Okay. My last question is, do you think that tenant behavior is the source of issues, or is the shortcomings of the landlords or property owners?

MS. GREENFIELD: Both.

MR. CYWINSKI: I would say both. And some of these tenant issues, a lot of times, impact senior citizens. I can tell you I have seen it firsthand.

Two examples, real quick. One parking car issue where somebody is parking in somebody else's backyard. You know, it's an older individual. What are they going to do.

Another issue is trash. You know, I saw

somebody that I know actually have -- they must have had ten trash cans on their patio while the neighbor right next door is clean. That is just unacceptable.

MR. BALLOON: We have had issues that touch both tenants and landlords.

COUNCILMAN HENON: Okay. I have no further questions.

COUNCILWOMAN SANCHEZ: Thank you so much. So, I know we still have a new panel of folks who registered today. We want to get through the City Departments. And we are going to do this quickly because I think it's important.

We are going to have Indira Scott from the Department of License and Inspection, Mr. Afessa from the Department of Revenue, Fran Healy from the Police Department and Tom Conway from CLIP.

We have written testimony from Indira. Councilman Henon is going to ask -- make a statement and ask a couple of questions and then submit the rest of his questions to the Administration in writing. But we wanted to get an official administration position. And then we will proceed to the final panel of folks who

signed up this morning.

Again, thank you for your patience. Obviously, there is a lot of interest in this topic from all sides. The Commissioner is joining Indira. Do we need to put those up, Commissioner? Do you want to show those? Want to put them up here in the front?

(Four cardboard photos shown of "Before and After" Photos of properties.)

Indira, we have your written testimony. So, I don't know if -- Councilman Henon, if you -- we're trying to get through this as quickly as possible. Since we have her testimony, why don't we quickly hear from Healy and from Tom. And then we will ask a couple of questions to the Administration and then the rest we will put in writing. I know you guys have been here since ten o'clock.

Our favorite guy Tom Conway, the go-to man when there is a problem.

MR. CONWAY: My name is Tom Conway from the Managing Director's Office. I oversee the Community Live Improvement Program, CLIP. Just some numbers with regards to FY11, which was the

fiscal year.

CLIP wrote over 8,800 violations to over 6,200 property owners most for high weeds and trash. Of the 6,200 properties that received a violation notice, 1,000 of them we visited twice; 206 of those properties we visited three times; 75 of those properties we visited four times; and 11 properties we visited five times.

Obviously, when we send a violation notice out, we give the property owner two weeks to comply to violation. In the summer months it's much longer. And I heard testimony earlier stating about if there is mistake made, all you have to do is call the office, let us know and we will revisit the violation notice.

Keeping it short.

COUNCILWOMAN SANCHEZ: I appreciate that. Mr. Healy. It's Lieutenant, right?

CAPTAIN HEALY: Captain now.

COUNCILWOMAN SANCHEZ: Captain, sorry. You got a promotion.

CAPTAIN HEALY: Good afternoon, Council. My name is Captain Fran Healy. I'm Special Adviser to Commissioner Ramsey. We don't have

any prepared testimony here other than the fact that being the Police Department, we are always available. People call us for all kinds of different issues. We work hand in hand with CLIP on those type of properties where we see egregious conduct or behavior by the tenants and/or the landlords or owners. So, we work hand in hand oftentimes with these problems.

Our Neighborhood Services Unit is dedicated to these very issues, the quality of life issues. So, the Department is taking this issue very seriously. In each District, the District Commanders also have a number of officers assigned. They often wear many hats. The Victim Assistance Officer who is also often the Sanitation Officer. And these officers also go out and enforce a lot of the code violation notices as it comes to property-type issues or quality of life issues.

So, we are on the forefront of this issue. And anything that can move or change things going forward, we are fully supportive. There was some recommendation early of other cities best practices. New York is a very good example

that, you know, I have studied quite honestly. It's the Civil Enforcement Initiative, the issues up there. They have a lot more authority, a lot more power. And if you are looking to make substantive change in these issues, you really need to be able to have power over the landl -- I'm sorry, over the owners. In New York, they have injunctive power as well as forfeiture powers which really does make a difference, which we are lacking here.

So, going forward, any other discussions, I would be happy to explain those processes or what's done in New York. But it's something we have studied here and have tried to work in, in previous administration. The idea or the notion there is a lot of heavy lifting that would need to be done, but it's not something that couldn't be done.

Councilman Squilla has also -- I have given him a lot of the information I have worked on in the past on this whole program. The Department is working hand in hand with L&I as well as with CLIP and the Managing Director's Office to see what we can always do. But regrettably, there

are problems that continue, but we do the best we can.

COUNCILWOMAN SANCHEZ: Before we get to Indira, I know we have the Department of Revenue here. Was there anything in particular --

COUNCILMAN HENON: For Department of Revenue?

COUNCILWOMAN SANCHEZ: Yes. Mr. Afessa, you wanted to come in and at least give us a stat on our lost revenue. You can stay there, Indira.

MR. AFESSA: My name is Tilahun Afessa from the Department of Revenue. I don't have much to say at this point. I am here just to take a note of what is going on. And then in case you have some questions, I will be ready to take those questions and will have the information. Most of the time it requires data, financial data. And then we will come back to you as soon as possible.

That's basically what I can say today.

COUNCILWOMAN SANCHEZ: Okay. L&I. Then councilman Henon will ask a series of questions.

Commissioner? Who is going to do it?

MS. SCOTT: We're going to tag team.

COUNCILWOMAN SANCHEZ: Go ahead. Commissioner?

MS. SCOTT: Do you want me to read my testimony?

COUNCILWOMAN SANCHEZ: Yes.

MS. SCOTT: Oh, okay. I thought we were going to go through questions.

It's now good afternoon. Good afternoon, Chairwoman Sanchez and Councilman Henon. I am Indira Scott, Chief of Staff for the Department of Licenses and Inspections. Today I am here to provide testimony on Resolution 120179.

The Department of Licenses and Inspections shares the Councilman's goals making sure that all rental properties have a Housing Inspection License, pay their taxes and maintain their units to the standard established under the Philadelphia Property Maintenance Code.

In Fiscal Year 2008, the City of Philadelphia licensed approximately 140,000 rental units. I am happy to report that through the efforts of this Administration, we have licensed more than 240,000 rental units in

Fiscal Year 2012. This is an increase of more than 100 units, which translates to more an additional $5 million in revenue. The Department has been able to better hold owners accountable through some key improvements. We have worked with 311 to make L&I services more accessible and accountable.

Prior to working with 311, L&I was -- only answered 40 percent of its alls. Now 311 answers 100 percent of our calls and inputs service requests into our database system. Last year, the Department conducted 71,969 housing and fire inspections, 98 percent of which I can report were inspected within the time frame established by our service level agreements.

We launched the R2 Program focused on proactively inspecting multi-tenant occupancies which are statistically the most dangerous types of structures. We are inspecting these units to make sure that they properly licensed and maintained to code. The Department has also begun the last license program, which seeks to bring those business owners that once had a license but no longer do back into compliance.

This effort has not only forced many businesses to once again operate in compliance with the Philadelphia Code, but has raised more than $500,000 in revenue for the City of Philadelphia.

Currently, the Department achieves a 70 percent compliance rate with our violations. For those who do not comply, however, the Department has now established a clear escalation process. If an owner fails to comply after three violations, we send them to court. We have increased the number of structures sent to court for not having Housing Inspection Licenses from just over 300 in 2007 to more than 3,000 in 2011.

Finally, in October 2011, the Department launched a new initiative as part of a larger program led by the Managing Director's Office and the Finance Director's Office regarding both -- regarding how both City and privately owned vacant property is bought, sold and maintained. This program intends to make private owners, particularly those who are responsible for a large number of vacant

blighted properties, accountable for the maintenance of their vacant properties. The Department identified approximately 25,000 structures in its database that were believed to be vacant because the owner had either obtained a vacant property license or had been cited for violations that are likely indicators of vacancy.

First, the Department focused on finding the right owners. The Department utilizes a dedicated team of researchers to cross reference several databases to find good names and addresses for the owners of vacant properties.

Second, the Department is utilizing new enforcement measures. We now enforce a Doors and Windows Ordinance passed by Philadelphia City Council that allows the Department to ask the Court to fine owners $300 per day per opening that is not covered with a functional door or window. Also, State Act 90 sponsored by State Representative John Taylor, allows the Department to ask the Court to attache these potentially high dollar fines to owners personal property.

Finally, the Department has implemented some legal tools. In its current initiative, the Department has worked alongside the City of Philadelphia Law Department and Judge Bradley Moss to dedicate court dates exclusively to address vacant cases. We are also collaborating with the Revenue Department to send vacant tax delinquent properties to sheriff sale. Through efforts so far, the Department has not only forced the sale or repair of more than 30 percent of the structures cited, but has assessed more than $1 million in license and permit fees and fines.

It is our hope that in addition to the good work that everyone in the Department has -- I'm sorry. It is our hope that in addition to the good work that everyone in the Department does everyday with this initiative and support from the Committees we will slow -- we will start slowly shifting neighborhoods. Philadelphia can only -- can no longer afford to pay the price for neglectful owners.

Thank you for this opportunity to provide the Department's testimony on Resolution 120179.

I am happy to take questions.

COUNCILWOMAN SANCHEZ: Thank you, Commissioner. Is there anything you wanted to add to that?

(No.)

Okay. Councilman Henon.

COUNCILMAN HENON: Thank you, Madam Chair. To all the Departments, thank you for coming in. I know it's been a long hearing. So, I will ask each Department -- I have pages of questions, but I will ask just a few. And ask that we get -- I will submit the questions in whole to everybody, and ask that we get back to me by Monday in writing, please, on the answers.

And I'm also going to ask everybody for a breakdown of the violations and tax information for landlords and any police data, if possible, Captain Healy by Monday. The questions and data request, if we could have them submitted back to the Chair Monday, if possible.

L&I, can you explain the role, your role in addressing quality of life issues in the neighborhoods? And do you see your Department as being responsible for education?

MS. SCOTT: The Department of Licenses and Inspections does a lot out in the community. We attend several community meetings. I think we've been to a few in each of the Council Districts. And we also attend Block Captain Boot Camps. These are all places when we are out in the community and we are trying to educate folks on what we do and what they should be doing to upkeep their -- their properties to keep them safe and to keep them clean for not only themselves but for their neighbors and obviously their tenants if they're -- if they're landlords.

COUNCILMAN HENON: Do you see the Department being responsible for changing individual behaviors?

MS. SCOTT: I think we can help to change the mindset of folks because I think we are out in the neighborhoods. We're out in the city a lot. We do interact with people all the time. And I do think that there is the -- it's a challenge to do, but I do absolutely think that we can help change the mindset. And we can do that through the education of what we do in our

Department and what people should be doing.

COUNCILMAN HENON: Do you feel in addition to that -- and I agree with you. I am glad to hear that.

Do you feel in addition to that prioritizing enforcement could also change behavior?

MS. SCOTT: Yes.

COUNCILMAN HENON: Okay. My next question or last question for the Department, and I will submit the questions in whole.

Explain your Service Level Agreement with 311 from the time -- well, first can you explain the agreement? And then I have some questions about that.

MS. SCOTT: Sure. For housing complaints that come into 311, there is a 30-day service level agreement, which means that from the time that the call comes in we have -- and correct me if I'm wrong -- we have 30 days to respond to that complaint that's come in.

COUNCILMAN HENON: When you send an inspector out in response to a call, do you notify anyone, for example, the person who made

the complaint or the Council Office -- District Council Person?

MS. SCOTT: We certainly can. But it does depend upon what information was given to 311 when the request or the complaint had come in. A lot of times our calls are anonymous and the complaints are anonymous, so there isn't anybody to call. But it is very helpful for us to have more information from -- from the citizens that call so that we do have someone to get in contact with if there is a problem out in one of the properties or we can't see what they are talking about, if there is a way to maybe come into a neighbor's home to see an issue that is happening next door.

But -- but we have to go with what comes in from 311. We do -- we have educated 311 and also, when we are out in the community, we also tell people to please give us as much information as you can when you call and make a complaint.

COUNCILMAN HENON: Let's assume that an inspector does find an actual violation. How many days does the recipient of the violation

have to respond on average?

MS. SCOTT: Once the violation is written and it's mailed, there is 35 days that the violator has to comply the violation -- to fix the violation before L&I inspectors will be back out again to see if the violation was complied.

COUNCILMAN HENON: Again, let's assume that a property owner doesn't respond and the property is inspected three times and then you take them to court.

What is the worst case scenario on how long it takes before the neighbors of that property can see change?

MS. SCOTT: If a violation is written and it's not complied and we are back out again, and we do our -- we actually, do an initial inspection and we do a reinspection and then a final inspection.

COUNCILMAN HENON: That's three times, right?

MS. SCOTT: Yes.

COUNCILMAN HENON: Three times 35 days; is that correct?

MS. SCOTT: It's actually two times 35.

The third -- the third inspection is, if you are not complied, you go to court. You don't have another 35 days after that. So, then it goes to court.

And a court hearing can take some months. So, I would say it's about five to six months that you might see some --

COUNCILMAN HENON: I mean, to a neighbor that seems to be a long time.

Has the Department thought about trying to shorten up the time frame on that, or could it be shortened up?

MS. SCOTT: Well, we have come a long way. We've started, I think, in the beginning of 2012 -- I am sorry, 2010. We had an inordinate amount of inspections that weren't -- they were inspections that were done and then we didn't reinspect. We were very exposed with what we were doing.

In 2010, we -- we came up and created this process where its been initial inspection, a reinspection, a third inspection and into court. So, we have -- we have shortened our process. Could we shorten it again? I am sure we can

look at that. But we feel like we are moving in the right direction. And it may feel like a long time, but we have to give due process to owners.

COUNCILMAN HENON: Is that 35 days, is that business days or 35 days calendar days?

MS. SCOTT: 35 days, calendar days.

COUNCILMAN HENON: Okay. I have no further questions for you. I will be submitting my -- the rest of my questions in writing and look forward to a response.

Department of Revenue. You know what, why don't you hand there. I can get to you in a second while we got other departments at the table.

Captain Healy.

CAPTAIN HEALY: Yes, sir.

COUNCILMAN HENON: I have a few quick questions here.

What kind of notifications do you have for landlords? Are there any kind of notifications if their tenants are engaged in illegal or destructive behaviors? What steps has or does the Police Department take on notifying the

landlords if there's been any kind of disturbance or illegal activity on -- you know, with their properties?

CAPTAIN HEALY: Well, from a policing perspective, the disturbances associated with the individual causing the disturbance and not the landlord. So, from our perspective at that point, we take the immediate action necessary on scene.

If the disturbance is drugs or neighborhood dispute, domestic dispute, the arrest or whatever remedial measures are taken with those individuals. There is no indirect -- there is no direct follow up with a landlord because the landlord is not specifically responsible for that. Our captains do proactively get involved with community members and different organization when there are longstanding problems, trash, debris, vacant lots. And the captains work hand in land with L&I and CLIP to help remediate those problems.

And actually, the other agencies, L&I and CLIP, would be more responsible for reaching out to the landlords for any violations that would

be noted. But we do work hand in hand, but it's necessarily the Police Department directly contacting the landlords or the owners of the properties when there is disturbance or something happens along those lines.

COUNCILMAN HENON: Okay. You had mentioned dealing with other City Departments.

What specific plans or strategies does the Department have in place for looking to address quality of life issues in a holistic way in partnering with the other departments? Is that just notifying them upon the response or complaint? Or do you have a actual strategy or plan, policy?

CAPTAIN HEALY: We work really on a Nuisance Task Force. Primarily, we deal with a lot of nuisance bars. But through the Managing Director's Office, it's been reenergized, I should say. But we work as a team to make sure that we -- we are in constant contact.

We have regular meetings to make sure that we're all on the same page. We meet with the LCB and other outside agencies as well to try to coordinate and get a synergy between our

agencies to make sure we are targeting what needs to be targeted and we can put our -- focus our resources there. And we do work together as a team as a city actually pretty well. And have done so for quite some many years.

COUNCILMAN HENON: Okay. Thank you, Captain. Mr. Conway. Just have a few question for you.

How many inspections do you make each year?

MR. CONWAY: The numbers we have from FY11 was 8,800 violations written on 6,200 properties.

COUNCILMAN HENON: How many -- okay. Do you have any data that shows how many of those properties that you -- the 6,400, the 8,800 violations are repeat violators?

MR. CONWAY: Yes. A thousand of those properties we visited twice; 206, we visited three times; 75 were visited four times; and 11 properties five times.

COUNCILMAN HENON: Do you believe that repeat violators should be treated any differently than first time violators?

MR. CONWAY: I believe that first --

COUNCILMAN HENON: Seems like an habitual, you know, habit almost or disregard to -- to any of your notices.

MR. CONWAY: Yeah. I believe it's a first time property owner violation, the person could be on vacation. The person could be in the hospital. The person -- there are other circumstances that, you know, that when they get the violation -- this is why we give them two weeks to comply to the violation. In the summer months, it's over two weeks. All you have to do is call the office and request an extension.

Our goal is compliance of the violation. We don't really want to send out city crews to clean up the properties because it cost us money, cost us manpower. I do believe that if we are visiting properties three or four times a year, the same properties, there should be an additional penalty fee imposed on those property owners.

COUNCILMAN HENON: Can you walk me through the process you use to deal with -- with the complaint and why do you choose to mitigate after -- after notice is given and the

importance of you mitigating.

MR. CONWAY: The CLIP Program just deals with the exterior property maintenance issues. We do not go enter into properties. L&I handles the heavy lifting with regards to that kind of stuff. We deal mostly with trash and high weeds and debris on properties and vacant lots.

What will happen is, once we get a complaint into the office or through 311, we will send an inspector out there. When the inspector goes out, they will survey the entire block for all properties that are in violation whether they vacant lots or exterior property maintenance issues.

They will document with pictures. The inspector will come back to the office. We'll input that data into the Hanson System, as well as the pictures into the Hanson System that day. We have our own mailing system in the office that we mail out the violation notices that day. We give them, again, two weeks to comply to violation. Again, in the summer months, it's a lot longer than that.

We have a little ticker file that the

inspector knows to pull out what licenses to reinspect on such and such a date. They go out. Owners that comply on violation, that clean up the property, the case is closed. There is no finder fee associated with that. The ones that did not clean up their property, we send to the abatement crews which will take an additional couple weeks for them to get out there, clean up the property and bill the property owner for the cost of the clean up.

If they don't pay the bill, a nuisance lien is attached to that property.

COUNCILMAN HENON: And what is your rate of recovery for the cost of mitigation?

MR. CONWAY: I do not have that figure.

COUNCILMAN HENON: Okay. And how about the cost? What is the normal cost of mitigation?

MR. CONWAY: To remedy a property? It depends on what the issue is.

If it's a vacant lot that we have to send out our loader -- we work closely with the Streets Department who assist us with sending out front end loaders and large equipment that we see bills range from $50,000 to, you know,

vacant lots where short dumped all over to residential property with a CLIP program, the exterior property maintenance issue, probably run about $200.

COUNCILMAN HENON: Okay. All right. I have no further questions for -- for Mr. Conway.

If I can have the Revenue Department, please.

State your name.

MR. DANELLA: I'm Paul Danella, Director of Taxpayers Services for Revenue Department.

COUNCILMAN HENON: Paul, do you think or consider tax delinquency to be a quality of life issue.

MR. DANELLA: Yes.

COUNCILMAN HENON: To what extent do tax delinquent properties impact the neighborhoods and the neighbors?

MR. DANELLA: We don't have any specific data. But, you know, someone who is not paying their taxes more than likely not maintaining their property. In this case landlords, we don't have any data on landlords. I can't really speak to specifically what happens there.

We do have programs for homeowners or low income homeowners. You would figure that if someone qualifies for a low income agreement and is paying us as little as $25 a month, the chances of them maintaining their property when a major problem arises are slim.

COUNCILMAN HENON: So, I know we are discussing landlords. But problem, you know, a property owner who is a tax delinquent also would be contributed to quality of life to a neighborhood and/or neighbors.

MR. DANELLA: Correct.

COUNCILMAN HENON: You agree with that statement?

MR. DANELLA: Yes.

COUNCILMAN HENON: Okay. Good. I have a -- I'm going to submit some data requests. And hopefully, can provide some answers in writing to -- you know, on Monday to the Chair if at all possible. I just want to thank Chairwoman Councilwoman Quinones-Sanchez for her partnership in this as we continue to move forward, not that we are done yet. But, you know, I just want to publicly say thank you for

her diligence -- due diligence in addressing the quality of life issues and, you know, the entire city. I know it's prevalent in her District as well as mine.

COUNCILWOMAN SANCHEZ: Thank you. All of you. Councilman Henon will direct the questions in writing. And then you can submit those to the Chair. And we will get them out to the rest of the Committee. This is, for the record, a Joint Committee Hearing between L&I and Public Safety. We will make sure all of the Councilmembers and all of that -- and both of those Committees receive it.

We have one last panel. Thank you folks. We are going to move on because we had some folks sign up today. It is afternoon.

Darlene Messina from Manayunk Neighborhood Council. I don't know if you are still here. Thank you so very much for your patience. Judith Robinson, homeowner from North Philly; Doris Thomas, Delaware Valley Development Corporation; and a Daniel Mitchell from TURN. If anybody has written testimony, we will take it.

You may proceed. State your name for the record.

MS. MESSINA: Okay. Good afternoon. Darlene Messina. And I represent Manayunk Neighborhood Council. And actually representing a coalition of civic associations in Roxborough/Manayunk.

I am still here. I would not miss this opportunity. It's been 15 years that somebody has been, you know -- that Council has made an opportunity for us to make comment on this resolution.

I speak to you as a resident and property owner in Manayunk for 25 years. I also want to provide a little context to my comments. Fifteen years ago we worked with City Planning Commission to conduct a community survey on quality of life issues.

We had worked together and designed a very comprehensive questionnaire to get an understanding of what the community thought -- feelings were to take the pulse of quality of life. We knew that there was this rental community moving into our neighborhood. And it

was affecting a number of the property owners. And we had a fear of what we are actually experiencing right now.

There is very few owner-occupied residential properties in Manayunk. We know this is not going to change. We realize that we are now a community that houses students and post grads. It's not just a student problem. It is a post-graduate student problem, as well. It's a complicated subject we are talking about.

And I've listened all morning. I really welcome a comprehensive approach to addressing rental properties as well as the responsibilities of landlords for them to be held accountable to their tenants. To me, tenants' behavior really is the responsibility of the landlord. That landlord needs to be able to communicate to whoever signs that lease what their responsibilities are.

And I really think L&I as part of the registering of the properties, has to hold those landlords accountable. That it is their responsibility to make sure their tenants know what to do, when to put the trash out. You

know, it's their responsibility to shovel. If not them, then the landlord. Because there really is a disconnect. And I really do think in the situation in Manayunk/Roxborough, that community that houses a lot of these university students, is that there is such a quick turnaround of tenants. I mean, the landlords don't even know who is in their properties. There is no communication of what is sort of, you know -- what do you do as a resident in a community.

I think a lot of these kids the first time out of the home, out of the college dorm, and they really don't know how to be a member of the community. It is -- it is a responsibility of the tenant -- I mean, of the landlord.

In terms of quality of life, unless you have experienced this yourself, it's an absolute nightmare that you cannot go to sleep at night or you see kids walking across your bedroom window, let's say, because they are having a party at night on the roofs. They are jumping from rooftop to rooftop. You know, I mean it is out of control what is going on. The feedback

we get from the police is, well, there is not much we can do about it. I mean, they have bigger problems going on in the city. We understand that. But for some of us who have professional jobs or jobs in general and have to get up in the morning and you have had three hours of sleep and this begins on Thursday night and then, you know, sometimes it extends on Monday. Basically, four days out of the week you are not getting a good night's sleep.

So, I don't know -- I just know there's a better way of dealing with these -- I mean, I know there is room for improvement. I submitted three papers here. I put something quickly together this morning because I had no idea there was this public hearing for comment.

We have submitted many times to many other of our council reps over the last 15 years a set of best practices. We have done the research which we were asked to do to look at what other communities across the country who house students because this is not a unique situation. I mean, there are other small towns that house students and they have rental properties. And

there's many effective ways. I mean, none of it is perfect. But I can tell you, a lot of it seems a lot better than what is going on now, which is practically nothing.

So, we have done our work for quite some time. And we have submitted it over and over again. And I would really like you to consider looking at it. And if there is a serious plan to address some of these issues, I really encourage you to welcome input from some of us who have ideas who are living with this from day-to-day.

So, I thank you.

COUNCILWOMAN SANCHEZ: Thank you. I just wanted to excuse Councilman Jones. He was called into a meeting in the President's Office. He was aware that you were here and just wanted me to put on the record that he is involved. He is the Chair of Public Safety. I think for the first time, it's a coordinated effort between L&I and Public Safety because we do recognize that -- that there is that element to it.

And we trust that Councilman Henon over the summer will continue some of these discussions.

And we can come back with some concrete, you know, one, two, three, four steps to begin to address some of these issues.

MS. MESSINA: Thank you. I do -- would like to also say that we have reached out to other neighborhoods of civic associations not in our District that have experienced the same impacts. And we had Powelton Village Neighbors over to talk to us about their situation there.

Again, this is throughout the city. I think some of the problems are unique to different Districts. But still, again, it goes across the city. And I think a comprehensive approach is what we have been asking for, for some time. I promise this one last comment.

But we have been doing the policing in our neighborhood. We work. We have families. We would like to enjoy our time on the weekends. And, you know, we come home from work. But I cannot tell you how many hours we spend trying to address these quality of life issues, and we have gotten nowhere. Nowhere.

So, you know, we appeal to you. We really hope something different will happen this time

around. I really applaud your leadership.

I, also -- again, this is one of our efforts. It's a brochure we printed up. We had the support of Councilman Jones and the Police District. And I think -- I don't know if L&I is on here. This is an attempt to inform our neighbors of what their responsibilities are and what it is like. What we expect you to behave, you know, as a good responsible neighbor.

Again, we have been doing the work. We don't get paid. We really look for a partnership with the City to help us with this.

COUNCILWOMAN SANCHEZ: Thank you. I would like that brochure. I'm part of the Temple kind of neighborhood. I have a warehouse where parties have been known to throw. So, I completely understand. I've gotten up at two o'clock in the morning and pulled the plug on a speaker and had to call the Captain. This is something that we all have somehow experienced personally. It's one that we want to take serious and be more proactive.

But I would like to get that brochure. We are getting more and more students from Temple.

MS. MESSINA: You can use it for your logo. You can have it for whatever.

COUNCILWOMAN SANCHEZ: I appreciate it. Thank you.

MS. MESSINA: Sure.

COUNCILWOMAN SANCHEZ: If you can make a copy. Can you proceed, Ms. Robinson.

MS. ROBINSON: Good afternoon. My name is Judith Robinson. I am here to testify on Resolution 120179. And I really thank you all for the opportunity to speak regarding this situation as it relates to license and inspection. However, it's just really long overdue.

I speak on behalf of homeowners of North Philadelphia, excuse me, many who could not be here today but very much wanted to because we all very much concerned about the lack of enforcement from License and Inspection. And I am not going to rehash some of the great testimony that I heard here today, especially from East Falls and yours, also.

We are suffering with a problem as it relates to students city-wide. And we need to

come up with a comprehensive program to deal with it. Really, I think it's such a problem that if we don't deal with it quickly, very soon, it's really going to affect quality of life.

As the property values increase, I see a lot of people moving outside of the city as to not to have to deal with this problem, you know. So, really, it's something that we need to deal with right away.

As it relates to this aspect of this Resolution that talks about problems, rental properties and the effects on the surrounding communities, I want to zero in on that. Because one of the major problems that we have in North Central is the over-the-counter permits. A lot of our student housing is newer housing that is being built from the ground up on these vacant lots. We can't figure out how they ascertain -- how they obtained these vacant lots in some cases.

They are getting permits over the counter to build over three stories. We don't know why this is being allowed. We have a problem with

this overcrowding of properties, with drug rehab houses. In North Philadelphia, we have over our fair share of drug rehab houses and so-called transitional housing.

There needs to be a major inspection done of properties, I would say, with three stories and above at this point. There needs to be an investigation ASAP because we do not know who is living in our homes in a lot of three-story properties. We have endured more than our fair share. We know that we need to support former addicts and former incarcerated folks who have come back into our community. We understand that.

But we are finding people are coming from Baltimore, Delaware, other states. Why are people coming from other communities in a drug infested North Central, for instance, sitting across from drug activity in the name of so-called rehabbing? There needs to be something done about this overcrowding that is very hazardous. It's very unsafe.

And we are concerned about our children being around people who we cannot get a handle

on who they are and where they are coming from, whether it's a rehab house or whether it's a transition house. We have had enough of it.

And we are really just begging for License and Inspection. We know that there is some problem with inspectors. So, now that your are in a budget crisis again, I really commend you all for what you are doing regarding the budget. Please, give a little extra money for inspectors because they are certainly needed to enforce some of the laws that are already on the books.

We have overcrowding of people taking a single family property, trying to cut it up into everything and then making it a rooming house. It's just a bit much. And once we find that these programs where they get X-number of dollars off of people's head, it's like almost going back into slavery. They just pile the house up with these folks.

Then add to it student housing. Where people are rushing ahead getting these over-the-counter permit to pile as many as twelve students. A young man said to me, I live right down the street from you. There is twelve

of us in the house. So, I am not going by what I think, they are telling us. You have these basement apartments. How do you do that, you know? There is something going on in License and Inspection that is allowing all of this to happen. And it's unfortunate that we don't find out about it until there is a problem, you know, fire. Someone getting hurt.

So, I really would like to work with you all. I know that you all are serious about these issues. But we need to get with it right away.

The other thing -- and I know this is not an issue here, but I see it's Safety and License and Inspection. But there has to be something to talk about the labor pool. People are coming from -- if they can speak English, they tell us that they are from Brazil, Guatemala. Look, I have no disrespect for people from other cultures. I am happy that we can meet some of those folk, but not when we have an unemployment rate in North Central as high it is.

People are coming from these South American countries. I don't know if there is a program

as relates to this, but they are all over the Fifth District. I don't understand what is going on. Specifically, I should say in the 33nd and 16th Ward. I don't know if South American building codes are the same as Philadelphia. I did study a little bit about construction. So, I didn't study that, though, to know whether they are the same or whether they are different or what.

But if there is a language barrier, I think there needs to be some oversight as to know whether they are doing things correctly. You know, I don't know what that is all about. So, I am just going to leave that alone.

Thank you all for your time for focusing on these issues. And hopefully, we can resolve some of them very soon before we have more disasters. Thank you.

COUNCILWOMAN SANCHEZ: Thank you, Judith. I know you come and you testify. You are monitoring all this stuff. We -- I am sure Councilman Henon's office will be happy to have your number as we work through this. We need folks like both of you to help us as we develop

this.

I want to recognize Councilman Jones.

COUNCILMAN JONES: I want to thank the Manayunk Neighborhood Council and what you, in particular, do. When I first came in, in '07, we did that walking tour. You showed me up close and personal how upwards of 60 percent of the neighborhood can be rentals and what that impact has on it.

As a result of that, we have done three the Good Neighbor Bill which is designed to do a three strikes you're out loss of rental license. The problem that you are hearing today is that many of them operating without rental license. They have no fear of that loss.

And I want to again say that Councilman Henon and Councilwoman Sanchez are -- what we are finding is that we have more in common on this issue than we know. So, whether you live in lower moderate income neighborhood or upwardly mobile neighborhood, you still have rental property problems. And that directly deal with L&I and their lack of resources.

We have to deal with one issue. It is

called enforcement. And actually, using the law that are on the book and holding people's feet to the fire about the quality of life they put other neighbors in.

So, I want to thank you for staying at it.

COUNCILWOMAN SANCHEZ: Yeah. We cannot do this without all of you.

Councilman Henon for closing remarks.

COUNCILMAN HENON: Thank you, Madam Chair and Chairman Jones -- Councilman Jones.

Thank you all for coming in and waiting around this long. I know it's been a long day, and it's tough to hang in there. But your -- your opinion, your discussion is very important to us as this is a issue that is city-wide. You know, you have looking at the table here now you and you have District Council Members here you and you also have at large who hear the same complaints.

There is a reason that we are having these ongoing conversations and hearings. You know, I again want to thank my -- the Chair, the Councilwoman Maria Quinones-Sanchez, Chair of L&I and Councilman Jones the Chair of Public

Safety. Because I feel that these joint hearings which we will continue to have until we try to fix what is broken and address the issues, you know, for all Philadelphia is vital. I think it's vital to the success, and it's vital for the growth for responsible landlords and developers and responsible citizens and community to keep this thing going and address the problems.

You know, we are all in collaboration as we move forward to try to change what's -- what's broken and fix it and make it a little more -- let's just say, give the city the tools that it needs with your input.

I want to thank them and all my Committee -- all the Committee Members here of these joint hearings. Thank you very much.

COUNCILWOMAN SANCHEZ: Thank you, men -- thank you, Councilman Henon for your leadership. I just want folks to know how serious Councilman Henon was on this issue. We subpoenaed several landlords, some who did not appear today. And we will pursue with the Law Department how we get them to come before this committee.

There is Edwin Bass and Walter Ulatowski and other. That is how serious Councilman Henon took this issue. And one that we will work with the Administration and the Law Department to be able to get these folks in so we can hold them accountable.

We will hold these hearings for now at the call of the Chair and obviously the prime sponsor of Councilman Henon. So, thank all of the folks that came forward today. Thank you.

This conclude our Hearing of the Committee of License and inspections.

(Joint Meeting concluded at 1:44 p.m.)

C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

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ANGELA M. KING, RPR, Notary Public

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A

abandoned 9:8,18 11:10 14:7 17:14 50:23 54:11 55:6 84:24
abatement 30:12 165:7
abatements 29:23
ability 42:8 46:20 51:19 53:9 60:19 116:18 120:1
able 5:8 26:11 29:2 34:17 40:19 60:15,16 65:14 67:22 125:3 137:6 146:6 149:4 170:17 185:5
absentee 59:7 139:3
absolute 171:18
absolutely 154:22
absorb 61:2
abuse 128:18
abuts 110:15
acceptable 126:14
access 124:22
accessible 28:9 149:7
accidents 57:18
accommodate 133:24
accomplish 55:4 78:19
account 76:24
accountability 140:17,19
accountable 5:19 36:12 61:13 127:12 130:24 149:5,7 151:1 170:15,22 185:6
accruing 16:3
accumulations 112:16
accurate 87:6 107:11
accurately 16:10 18:9 186:7
accused 64:16
achieves 150:6
acknowledge 18:23
act 133:10 151:20
action 3:6 27:10 29:4 132:11 160:8
active 116:20 133:11
activist 96:1
activities 133:19
activity 61:15 160:2 178:19
actor 68:20
actors 68:16,22 68:22
actual 22:8 24:8 24:11 31:16,17 33:7 156:23 161:13
ad 66:23
add 6:1 36:4 121:16 122:11 153:4 179:20
addicts 178:12
addition 4:11 5:12 19:6 115:21 152:14 152:16 155:2,5
additional 6:2 12:8 16:3,7 18:10,11 61:10 149:3 163:19 165:7
address 4:16 5:2 6:14,19 7:10 12:15 40:24 45:15 55:11 69:19 86:4 106:10 110:19 111:3,3 113:2 121:23 123:12 127:5 132:11 134:16,18 136:13 139:8 152:6 161:9 173:9 174:3,21 184:3,8
addressed 3:22 25:1 81:4 100:9 100:12 110:24 131:18
addresses 127:7 139:10 151:13
addressing 7:1 22:9 82:12 125:22 138:6 153:22 168:1 170:12
adequately 26:17
adjacent 13:1
adjourning 5:23
administration 142:22,23 143:16 146:15 148:23 185:4
administrative 113:18
administratively 35:13
adults 125:19
advance 40:13
advertising 72:24
advisement 7:6
Adviser 144:24
advocacy 4:7 27:1 42:13
aerial 110:8
Afessa 142:15 147:8,12,12
affect 133:5 177:4
affiliation 8:19
afford 41:5,7 50:13 152:21
affordable 69:1
aforementioned 10:13 11:3
afraid 48:19
afternoon 144:22 148:9,9 168:16 169:3 176:8
age 10:10
agencies 13:8 77:17 98:4 138:12 160:22 161:23 162:1
agenda 6:3 52:8
agent 94:11
agents 127:9
aggravation 107:13
aggressive 3:6 33:13 34:3 128:23 131:2
aggressively 34:20
ago 26:1 43:14 87:12 93:24 123:14 136:24 169:16
agree 56:16 86:18 92:21 106:17,21 118:18 129:17 136:8 138:24 155:3 167:13
agreement 155:12 155:14,18 167:3
agreements 149:15
ahead 148:2 179:21
alarm 65:7,14
albeit 13:20 20:21
Alex 131:11 138:23
Alexander 122:9
alias 39:24
alive 7:7
allay 59:14
Allegheny 66:21 67:12
alleviate 115:3
allow 116:19
allowed 5:15 94:4 177:24
allowing 6:21 17:8 101:11 132:23 180:5
allows 25:10,11 28:11 93:9 151:17,21
alls 149:9
alma 8:19
alongside 152:3
alternate 61:8
amazed 51:5
amazement 52:13
amenities 40:18
America 92:10
American 180:23 181:5
amount 31:5,12 54:16 55:8 57:8 92:16 116:19 130:8 158:16
analysis 31:18,20 42:16
and/or 121:23 127:9 145:7 167:11 186:20
anecdotes 62:10
ANGELA 186:13
announced 51:23
announcing 51:8
anonymous 64:16 156:6,7
answer 46:9 48:11 97:9 113:4 135:3,7
answered 95:9 149:9
answering 4:14
answers 149:10 153:14 167:18
anybody 30:18 43:19 62:16 99:11 121:22 156:7 168:23
anymore 67:23
anyway 33:10
apart 67:18
apartment 94:1 133:21

apartments 180:3
apologize 36:17
appeal 39:21 57:22 81:19 174:23
appear 5:12,20,21 6:1 36:21 88:13 184:22
appeared 4:24,24 114:19
appears 47:13 53:11
applaud 175:1
applicable 24:4
application 108:18
applies 38:18 42:21
apply 42:20,23 43:12 186:18
Applying 12:6 16:5
appraisals 102:5
appreciate 7:4 45:19 62:11 82:18 98:13 118:6 121:14 123:6 125:9 131:3 133:9 144:17 176:3
appreciative 73:21
approach 3:4 21:24 28:20 77:5 134:18 170:12 174:14
approached 87:10 90:1 110:6
approaching 30:14
appropriate 85:5
appropriately 60:21
approval 141:3
approximately 9:6 11:8 14:10 15:8,10,19,21 17:2 104:14 148:21 151:3
area 9:17 17:13 31:3,6,7 36:8 89:11,13 101:23 125:13 128:21
areas 46:16 60:3 75:17 76:7 101:19
arguing 110:20
arises 167:6
arising 45:16
arrangement 61:8 84:12 105:15
arrest 160:11
arrogant 108:10
ASAP 178:8
ascertain 53:10 177:19
aside 111:13 116:19 135:16
asked 4:10,18,19 8:22 74:3 103:21 119:21 172:20
asking 28:16 111:21 174:14
aspect 57:9 177:11
assemblage 13:13 18:5
assemble 13:6
assembled 13:1
assessed 18:10 152:12
Assessment 9:6
assessments 16:10
assigned 145:14
assist 165:22
assistance 27:2 51:20 73:17 74:20 129:3 145:15
associated 14:17 133:13 160:5 165:5
association 7:20 45:8 58:5 130:9 132:22
associations 127:11 169:6 174:6
assume 156:22 157:7
assure 60:5
astonishing 48:8
attache 151:22
attached 165:12
attempt 96:16 127:1 175:6
attend 154:3,5
attendance 2:15 82:19
attendant 135:19
attention 6:6 7:10 46:16
attorney 5:13,17 23:9 58:10 89:18
attorneys 34:7 89:11 90:1
attracting 19:20
authority 12:22 42:22 43:2 81:21 95:7 146:4
Authorization 34:14
authorized 2:17
authorizing 2:8 2:14
available 54:24 120:23 145:3
Avenue 66:21 132:2
average 10:5,19 10:24 11:8,23 12:3 13:3 14:18 15:15 17:18 18:3,6 81:15 157:1
AVI 18:22
awake 136:20
awakened 129:24 130:1
aware 29:2 69:9 80:18 124:17 173:17
a.m 1:8

B

B 1:16
back 30:10 35:14 40:12 66:1 72:18 78:19 81:22 90:6,14 91:8 99:9 115:12 119:9 126:11,24 137:8 147:19 149:24 153:13,19 157:5 157:15 164:16 174:1 178:13 179:18
background 42:12
backlog 39:19
backyard 141:22
bad 3:13 35:6 36:19 38:8,14 38:17 52:4 68:16,20,22 77:11 81:6,10 88:10 119:12 120:4
balance 38:4 68:13
balances 134:16
Balloon 122:9 131:10,11 136:1 138:24 141:5 142:5
Baltimore 21:6 22:20 77:13 178:16
bank 47:5,8 88:17 90:22 91:14,15 91:20 92:9,14 116:17 117:1,5 117:6,9,10
bankruptcy 58:9 58:10
banks 46:23 47:1 69:6 88:1,9 89:14 90:2,5,7 90:12,24 91:4,9 92:5 93:3,4 97:14 99:4 114:18 115:15 116:7
bar 126:22
barrier 181:10
bars 161:17
Bartelt 122:19
base 12:6 134:20
based 4:19
basement 180:3
basic 9:3 19:11 23:23 56:6 60:22
basically 32:16 42:9 54:16 80:17 95:23 116:18 134:7 147:21 172:9
basis 31:13 140:4
Bass 5:7,12,14,17 5:19 6:1 185:1
bathtub 65:21
battle 125:8 137:4
beautiful 51:3,6 56:10
becoming 49:6 54:18 120:22 128:22
bedroom 66:20 94:1 171:20
beds 126:3
beg 123:22
begging 124:10 179:4
beginning 41:20 78:23 79:13 130:18 137:13 158:14

begins 172:7
begun 149:22
behalf 56:23 116:10 176:15
behave 43:20 175:8
behavior 6:16 99:21 102:24 111:17 126:14 126:20 129:5,8 136:23 141:12 145:6 155:7 170:16
behaviors 154:16 159:23
behaviour 135:20
believe 3:10 22:3 23:21 26:9 28:19 30:11 79:22 87:7 99:17 132:24 133:1,8 140:8 162:21,24 163:4 163:16
believed 151:4
believes 38:21
benefit 30:19 46:14 55:15
benefits 16:12,14
benign 61:5
besieged 76:9,17
best 42:8 49:11 51:19 76:15 77:10 145:24 147:1 172:19
better 13:11 30:16 44:14 46:7 72:2 129:4 130:13 136:21 136:22,22 149:4 172:12 173:3
beyond 11:17 47:23
bidding 89:23 118:1
big 34:11 51:22 52:17 66:20 136:18 140:2
bigger 120:12 172:3
bill 2:23 25:12 30:7 33:18 52:9 52:10,17,18 53:7 70:7 76:19 90:22 165:9,11 182:11
billion 12:5 16:3 17:4 18:8
bills 52:16 53:3,3 53:3 66:4 72:23 72:24 88:2 89:16,16 165:24
bit 24:6,6 35:24 48:14 56:11 76:5 179:15 181:6
Blackwell 1:13 2:22 7:16,17 44:6,7
blanks 88:14
blight 27:6 36:9 37:10 87:15 89:8 115:4 119:18 132:7
blighted 11:10 151:1
block 3:13,14 16:5 20:5 63:23 64:11 81:12 94:4 96:21 97:22 110:9 128:11,14 154:5 164:12
blocks 115:16 127:16,17 139:9
blue 67:11
board 37:6 45:10 55:14 56:23 115:10 137:14
boarding 67:24
boat 24:22 117:9
Bob 68:17 69:3
BOBBY 1:13
body 71:1 121:20
bold 3:5 6:10
book 53:23,24 78:12 183:2
books 68:3 115:23 117:14 179:11
Boot 154:6
borrow 22:20 84:16
bottom 20:20 28:19 93:13
bought 76:1,4 150:21
Boulevard 85:16
box 71:9 94:2,9
Boxes 76:1
Boyle 122:16
Boys 70:14
brace 61:11
Bradley 152:4
brains 125:20
brand 51:3
Brazil 180:18
break 61:22 95:18 95:19
breakdown 153:16
breaking 126:17
Breeze 31:6
brief 132:16,24
briefly 45:9
brilliant 51:3
bring 3:14 74:16 82:11 87:14 89:9 114:6 149:23
broad 46:16
broadly 136:1
brochure 175:3 175:14,23
broken 6:8 100:10 133:16 184:3,12
broker 58:16 139:15
brought 80:20 87:9 109:14 135:13
BRT 127:3,5
budget 78:1,1,24 179:7,8
build 21:11 51:3 51:14 55:8,9 134:8 177:23
builders 59:15,21
building 28:10 29:17,19 32:19 35:15 119:19 130:15 181:5
buildings 27:11 27:13 29:12 35:11 133:21
built 134:2 177:18
bulk 84:5
burden 22:11
burdening 72:1
burdensome 60:17,22 74:19 88:22
burglar 65:6
burly 136:18
buses 127:18
business 24:19 56:21,22 57:6 59:12 60:12,23 61:2,9 67:23 72:14 73:14,15 73:16,23 74:2 83:11 87:5 99:9 99:11 107:10 111:20 118:14 149:23 159:6
businesses 61:7 131:23 132:8 150:1
businessmen 70:12
buy 66:20 68:4 97:14
buying 115:7,16
Byzantine 61:18

C

C 186:1,1
cabinets 65:22
calendar 159:6,7
call 27:11 43:21 48:12 60:7 63:8 64:8 67:11 96:1 96:12 99:15 139:14 144:14 145:3 155:19,23 156:8,10,20 163:12 175:19 185:8
called 19:12 26:1 43:3 53:22 64:6 73:18 94:6 96:24 97:4 98:19 100:10,11 100:15 173:16 183:1
calling 42:14 55:2
calls 4:21 42:3,4 43:16 96:21 149:10 156:6
campaign 52:12
Camps 154:6
campus 127:21 130:14
cancer 134:19
candidate 122:20
cans 142:2
capacity 29:7
capitalistic 59:23
Captain 144:19 144:19,20,22,23 153:18 154:5 159:16,17 160:4 161:15 162:7 175:19
captains 160:16 160:20
capture 16:10
captured 76:6
car 141:20
carbon 126:4
cardboard 143:8
care 60:1 70:14 84:10 85:19 98:12 108:17 111:23 121:12

125:16 139:5 141:3
Carl 43:14 44:9
carousing 126:18
carrier 48:20
carrot 21:23
cars 127:18 128:3 132:1
Cascerceri 122:17
case 72:16 95:2 112:12 147:15 157:11 165:4 166:22
cases 35:7 152:6 177:21
case-by-case 140:4
catches 72:15
category 125:24
caters 126:23
caught 44:18
cause 7:3 97:19 119:2,10
caused 12:10 99:23
causing 23:22 160:6
CDC 122:16
CDCs 54:22
ceiling 81:10
cell 86:10
Center 58:6
Central 177:16 178:18 180:22
century 59:18
certain 42:11 45:16 63:2 67:22 72:24 103:4 114:24 118:10 129:9
certainly 22:2 45:18 62:23 156:3 179:10
certificate 26:4 28:10,11 69:21 114:23
certificates 26:10
certification 32:21 186:17
certified 31:15
certify 186:5
certifying 186:21
Chair 1:12,12 7:16 8:4,7 19:3 30:24 45:4 55:12 56:18,20 58:24 62:5 69:12 75:12 80:2,3 82:17 103:15 116:6 121:9 132:15 135:2 153:7,20 167:19 168:8 173:19 183:9,22 183:23,24 185:8
Chairman 3:1 183:10
Chairs 4:11 5:18 5:22 6:20
Chairwoman 148:10 167:21
challenge 46:17 154:22
challenged 45:24
challenges 20:14 20:16 26:6 46:3 46:12,13
chamber 47:11
chambers 110:6
chances 167:4
change 6:16 111:17 145:21 146:5 154:17,23 155:6 157:13 170:6 184:11
changed 6:13 39:11,11
changes 6:18
changing 154:15
characteristics 10:10
characters 134:10
charge 50:4,4 66:9 108:14
Charter 2:18
chase 120:23
chasing 103:7
cheaper 24:19
cheating 70:3,4
check 42:9 67:1,2
checked 124:12 124:18
checks 67:7 134:15
Chief 148:11
children 66:14 135:22 178:23
choice 47:18 79:23 104:21
choose 163:23
circumstance 111:6
circumstances 111:14 163:8
citations 101:21
cited 151:6 152:11
cities 21:5 77:9 92:12 145:23
citizens 70:4 116:10 141:18 156:9 184:7
city 1:2,7 2:9 4:8 6:14,17,24 9:2 9:21 11:16 13:8 13:9 14:1 17:24 20:23 22:13,15 22:21 23:13,17 23:22 24:3,16 24:23 25:6,10 25:24 26:13,14 27:9,17,23 28:4 29:7,13,16 30:5 31:14,23 32:14 34:9,19 37:12 39:2 40:21 46:15 48:7 49:8 50:16,19,22 51:1,20,24 54:1 56:10,12 57:7 58:7 59:12,19 69:17,24 70:4 71:2 72:21 73:19 74:6 81:2 81:4,7 83:1,4,18 83:22 87:15,19 88:13 89:7,13 90:1,16,17 91:6 91:19,21 92:20 93:11 96:21 97:1 104:1,5 105:5,9,19 106:24 110:7 113:2 116:2,22 117:9,10,24 118:2 119:11,15 120:11 124:8,8 125:6 127:9 128:17 129:3,18 131:1,1 134:20 140:6,12 142:12 148:20 150:4,20 151:17 152:3 154:19 161:7 162:4 163:14 168:3 169:16 172:3 174:10,13 175:12 177:7 184:13
citywide 6:7
City's 9:5 11:23 12:2,6,6,21,23 13:15 16:5 18:9 53:8,9 60:3 68:18 116:8
city-wide 75:15 85:11 106:4 176:24 183:15
civic 7:20 132:21 169:6 174:6
Civil 146:2
clarify 108:23
class 129:15,22 130:22
classes 27:4 44:10
classified 9:12
clean 13:22 15:13 16:5,23 17:1 18:7 60:8 142:3 154:10 163:15 165:3,6,8,10
cleaning 16:17 18:14
clear 74:5 79:16 103:10 150:9
Clerk 2:6,8 8:1,8 8:11
clients 59:11,24
CLIP 81:13,16,18 81:19 82:5 87:3 93:22 94:11 107:8 110:13,23 112:3,23 113:16 136:12 138:4,9 138:16,19 142:17 143:23 144:2 145:5 146:23 160:20 160:23 164:2 166:2
CLIP's 109:22
close 39:5 83:19 182:7
closed 35:13 165:4
closely 165:21
closest 126:10
closing 18:17 183:8
CLS 23:4,14
Clubs 70:15
coalition 169:6
code 24:4 25:9,15 25:18 26:5,13 28:3,6,7,20 29:2 29:3,5 30:1,3 32:5,9,11,19 33:7,19,22 34:3 34:6,8 55:6 69:23 86:13,18 87:14 96:4,8,12 106:17 119:5 128:24 129:7 134:3 145:17

148:19 149:21 150:3
codes 9:24,24 10:2,5 22:1 24:4 181:5
coin 78:8
collaborating 152:6
collaboration 98:3 184:10
collaborative 69:24
Colleague 31:2
colleagues 19:2 22:18 70:20
collect 33:8,21 35:19 52:23 64:17 96:5,13 116:9
collected 32:2
collecting 32:3
collection 12:9
collections 22:2
collects 31:23
college 37:18 125:23 171:13
combined 21:24
come 3:5 28:23 35:18 43:7 45:24 46:23 47:2 48:11 63:24 64:4 65:8 67:19 84:14 87:20 92:15 94:10 96:18 97:15 102:6 122:9,11 123:9 126:10 129:18 131:23 137:8 139:18 140:19 147:9,19 155:17 155:21 156:5,13 158:13 164:16 174:1,19 177:1 178:13 181:20 184:24
comes 36:2 39:24 47:5 53:24 66:23 79:14 95:15 119:9 145:18 155:19 156:16
coming 51:2 52:21 75:2,2 76:13 82:14 98:12 103:16 108:4 121:11,17 122:4 126:24 153:8 178:15,17 179:1 180:16,23 183:11
command 15:4 21:14
Commanders 145:13
commend 57:1 58:22 179:7
comment 79:24 110:4 169:11 172:16 174:15
comments 55:18 131:15 169:15
commercial 55:23 131:12,20,22 132:9 134:5
Commission 169:17
Commissioner 143:4,6 144:24 147:24 148:3 153:3
committed 78:14 91:6
committee 1:3 2:4 4:12 5:18,22 6:3 6:21 7:14,21 45:18 46:3,12 52:15 53:19 55:15 56:7 59:3 132:10,15,23 168:9,10 184:16 184:16,24 185:11
committees 2:9 70:24 152:19 168:13
common 27:20 59:6 72:17 182:18
communicate 101:4 170:18
communication 171:9
communities 70:13 133:2,9 136:10 172:21 177:14 178:17
community 2:13 4:7 14:1,8 23:10 30:18 59:11 61:2 69:17 76:8 95:21 122:8 123:1 125:5 131:13 133:11 134:14 135:16 136:13 143:23 154:2,3,7 156:18 160:17 169:17,21,24 170:7 171:5,11 171:15 178:13 184:8
comp 56:8
companies 101:6
company 5:8 64:19
comparable 13:4 14:19
compared 15:5 17:3,5 21:4
comparing 16:14
compel 2:15 5:21 5:24
compelling 59:13
competing 21:4
competition 66:18
competitive 60:9
compile 106:7
complaining 43:16 110:17
complaint 155:21 156:1,5,21 161:13 163:23 164:9
complaints 37:1 44:11 134:17 155:16 156:7 183:19
Completed 14:4
completely 175:17
complex 3:3 77:3 77:4
compliance 149:24 150:2,7 163:13
compliant 55:7
complicated 68:9 93:2 170:10
complied 97:18 100:17,22 101:7 101:13 110:17 157:6,15 158:2
comply 33:22 49:12 144:11 150:8,10 157:4 163:10 164:21 165:3
complying 137:17
compound 51:2
compounded 127:14
compounds 128:4
comprehend 52:20
comprehensive 169:20 170:12 174:13 177:1
compressed 21:10
compulsion 129:4
computed 15:15 16:13
concentrated 9:22 10:3 17:20
concentration 10:8 11:4,21 12:11 15:1
concentrations 18:2
concept 27:12 30:15 35:21 101:2
concern 61:4 101:18 111:9 137:3
concerned 19:7 27:8 59:8,18 176:18 178:23
concerns 5:2 59:10 69:20 103:1 125:10 136:13 138:6
conclude 66:18 185:11
concluded 185:13
concrete 4:15 174:1
concur 72:6
conditions 20:13 36:22 40:24
condolences 47:14
conducive 126:12
conduct 129:1 145:6 169:17
conducted 149:12
conducting 132:12
conducts 59:12
connotation 99:19
consequences 37:15
consider 11:3 66:7 81:6 93:11 119:21 166:13 173:7
constant 73:17 161:20
constituent 42:2
constituents 3:17
constraint 99:10
constructed 51:8
construction 21:8

22:11,21 181:7
constructive 79:4
construed 98:18
consultant 122:18
contact 86:11 140:23 156:11 161:20
contacted 5:13
contacting 161:3
contacts 66:4
contain 9:24
contained 186:6
contend 126:6,8
contesting 81:23
context 18:20 27:4 42:17 55:19 169:15
continue 5:4 6:4 7:8 8:7 36:10,11 44:24 61:1 63:16 70:19 90:24 121:21,21 147:1 167:22 173:24 184:2
continuing 121:18
continuously 130:11
contract 118:13
contracted 12:21
contractor 65:9
contribute 70:13
contributed 126:22 167:10
contributing 102:17 103:3 106:24
contribution 12:17
control 52:16 63:11 108:17 130:13 171:24 186:20
conversation 5:3 5:4
conversations 42:5 70:20
86:23 98:24 103:18 107:6 121:18 183:21
conversion 14:9 15:2,19 16:9,14
converted 134:5
converting 14:7 16:12,16 17:9
converts 13:23
convocation 45:19
Conway 142:17 143:19,21,21 162:7,10,17,24 163:4 164:2 165:15,18 166:6
cool 99:1
Cooperation 84:6
cooperative 51:19
coordinate 161:24
coordinated 173:20
copper 48:15,16 63:20 64:1,13 64:17,20 65:13 65:18 67:19 78:13
cops 65:8
copy 176:7
corner 73:15
Corporation 8:18 53:5 131:13 168:22
correct 102:14 105:23 113:20 113:21 116:12 116:16 155:19 157:23 167:12 186:9
corrected 37:8
correctly 181:12
correlate 53:10
correspond 36:21
corridor 131:12 131:22 132:6
corridors 131:20
132:10
cost 16:15,16,21 17:2,5 22:10 24:19 30:3,4 46:19 48:22 49:6,13 61:3,10 61:19 63:5 71:21 74:14 87:4 107:10,13 107:14 121:1 163:15,16 165:10,14,17,17
costing 66:15
costly 61:11
costs 21:8,11 49:21 50:12 61:21
council 1:2 6:15 8:3,14 18:17 25:24 47:17 58:23 75:14 78:4 79:12 81:4 87:8 92:3 123:21 124:11 144:22 151:17 154:4 156:1,2 168:18 169:5,10 172:18 182:4 183:17
councilman 1:12 1:13,14,14,15 1:15,16 2:2,19 2:20,21 3:1 6:23 6:24 7:12,12,12 7:24 8:8 18:23 19:2,3,6 20:7 21:15,22 22:16 23:15 25:12 30:22,23 31:2 32:12,16 33:15 33:17 34:12 36:15,17,18 37:12 38:22,24 39:3 41:10,12 41:14,22 44:4 45:19,24 50:6 51:18 52:20
53:19 57:1 69:11,12 70:7 71:4,6,7,9 72:4 73:6 75:7,8,10 75:11,12 77:2 78:21 79:8,17 79:24 80:2,8,21 82:15,17,22 83:3,7,11,17,20 84:1,3,11,23 85:5,8,10,21,24 86:2,15,23 89:2 93:16,17,21 95:9 97:23 103:14,15 104:1 104:4,9,15,19 104:22 105:1,4 105:7,14,20 106:1,8,15 107:2,5,15 108:23 109:4,8 109:11,20 111:4 111:12 112:5,11 113:1,9,10,13 113:22 114:3,8 114:11,16 115:21 116:4,13 116:17 117:15 117:18 118:5 119:3,11 120:5 121:2,5,9,15,17 123:10 125:8 130:10 135:1,13 135:24 136:7,11 137:21 138:3,6 138:22 139:2 140:11,14 141:4 141:11 142:7,19 143:11 146:19 147:6,23 148:10 153:6,7 154:14 155:2,9,22 156:22 157:7,19 157:22 158:8 159:5,8,18 161:6 162:6,13 162:21 163:1,21
165:13,16 166:5 166:12,16 167:7 167:13,16 168:6 173:15,23 175:4 181:22 182:2,3 182:16 183:8,9 183:10,24 184:19,20 185:2 185:9
Councilman's 148:15
Councilmatic 31:6 75:16 83:8 104:12
Councilmembers 110:7 133:6 168:12
Councilwoman 1:12,13,16 2:20 2:22 7:16,17 8:5 8:7 18:19 22:17 23:1,7 30:20 34:13,16 35:20 36:14,16 41:11 44:5,5,7,23 45:5 45:12 55:16 56:19 62:11 68:7 71:5 75:6 75:11 79:8,19 80:6,9,12,15 82:13 83:6 87:23 88:9,12 88:24 89:4,20 90:18 91:16,24 93:7 98:7,11 103:13 113:8,12 116:6 121:10 122:7 130:6 131:5,10 132:14 132:18 134:23 136:6 137:23 142:9 144:17,20 147:3,8,22 148:2,6 153:2 167:21 168:5 173:14 175:13 176:3,6 181:19

182:17 183:6,23 184:18
Council's 2:9 110:5
Counsel 45:7
counseling 27:3
count 126:3
counter 177:22
countries 180:24
country 172:21
couple 39:18 75:18 77:17 78:24 113:14,15 136:24 138:17 142:20 143:15 165:8
course 12:13 13:14 14:10 49:8 55:4,11 71:9 72:6 82:1 89:22 90:9 99:23 100:11 109:13
court 34:19,23 35:15 36:4,9 38:20 39:11,18 58:9 61:21 71:17,23 82:2 92:3,22 95:4 113:23 114:2,4 114:6 120:18 129:14 150:11 150:13 151:18 151:22 152:5 157:10 158:2,4 158:5,22
covered 151:19
Coyle 68:17 69:4 87:9,11,19 98:19,20 99:2
cracked 96:10
created 17:4 34:11 158:20
creates 68:23
creating 92:11
creation 68:19 69:10
creative 6:9 32:17
credit 37:22 47:1 47:6,7,9 67:5,5
creditors 40:8
crew 94:7 109:12 111:19 112:3
crews 85:18 109:9 109:22 110:3 111:12,23 113:4 163:14 165:7
crimes 78:11,14
criminal 133:19
crisis 23:16 91:1 92:7 179:7
critical 29:5,8 30:17
critically 24:16
criticism 79:4
criticizing 44:9
crop 126:7
cross 53:2 76:18 124:12 139:8 151:11
crow 120:11
crucial 30:12
culturally 59:19
culture 73:13
cultures 180:20
curb 94:10
curbside 61:9
current 10:20 12:14 20:15 84:11 105:14,15 105:17 152:2
currently 8:17 11:14 13:16,19 15:20 20:18 36:5 115:23 150:6
CURTIS 1:12
customers 59:10 131:23
cut 37:6 47:6 102:4,11 179:13
cutting 51:7
cycle 95:19
cycles 79:1
cyclical 20:14
Cywinski 122:10 132:15,20,20 136:8 137:22 138:1,5,8 140:15 141:16

D

D 1:12
damage 61:21 89:9 91:19
dance 132:4
Danella 166:10,10 166:15,19 167:12,15
danger 86:6,12
dangerous 57:10 57:11 149:18
Daniel 168:22
Darlene 168:17 169:4
Darrell 23:2 45:6
data 147:18,19 153:17,18 162:14 164:17 166:20,23 167:17
database 124:23 149:11 151:4
databases 151:12
date 6:1 106:13 114:22 165:2
dates 152:5
David 1:15 122:18
day 28:17 33:18 48:4 58:10,10 64:7 66:5 78:17 86:7 94:20 97:1 97:5,6 100:24 100:24 103:5 112:4 115:12,13 115:13 132:1 133:20 139:15 151:18 164:18 164:20 183:12
days 39:7,22 86:3 94:24 106:9,12 111:24 112:1,6 127:19 155:20 156:24 157:3,22 158:3 159:5,6,6 159:6,7,7 172:9
day-to-day 173:12
DC 21:5 77:13
dead 46:22
deal 25:13 32:21 55:4 88:10 90:14 99:24 100:14,17,24 136:14 161:16 163:22 164:6 177:1,3,8,9 182:23,24
dealers 63:10
dealing 48:9 87:24 161:7 172:12
deals 164:2
dealt 130:5
debate 12:14
Deborah 14:3
debris 160:19 164:7
debt 91:17,20,21 93:11 116:8,15 117:2,19,21,23
decades 53:15 74:1
decent 34:1 38:3 41:4,7 63:5,5
decide 34:22
decision 92:21
decisions 47:15
declaring 124:14
decline 49:22 50:16 54:17 65:16 131:24
decrease 35:22
dedicate 152:5
dedicated 145:9 151:11
deeds 53:3
deep 112:18,20
deeper 69:22
defects 118:10
DeFelice 122:16
defensive 68:16
defer 116:21 117:1
deferral 115:24
Deferring 116:3,4
defined 11:22
definitely 37:11 86:22
definition 10:13 17:12
degree 37:18 76:9
Delaware 168:21 178:16
delay 2:3
delinquencies 4:21 101:21
delinquency 102:10 166:13
delinquent 84:19 152:8 166:17 167:9
DENNIS 1:15
department 5:19 48:9 52:14 124:13 142:15 142:16,17 145:2 145:11 146:21 147:4,6,13 148:11,14 149:4 149:12,21 150:6 150:9,16 151:3 151:9,10,14,17 151:22 152:1,3 152:4,7,9,15,17 153:10,23 154:1 154:15 155:1,10 158:10 159:12 159:24 161:2,9 165:22 166:7,11 184:23 185:4
departments 69:18 70:1 113:2 136:13

142:12 153:8 159:14 161:7,11
Department's 152:24
depend 86:5 156:4
depends 39:8,12 165:19
deposit 40:11
deposits 40:10
Depot 118:24
depreciation 15:18
depressed 12:10
depresses 132:5
depth 69:22
describe 46:1,2
described 87:3 90:23 107:9
designed 169:19 182:11
desire 116:8,13
desires 59:10
desk 52:13
desks 49:1
despair 3:16
desperate 63:6
despite 5:13 63:17
destroy 38:10
destroying 134:19
destructive 38:20 39:15 159:23
detail 138:12
detectors 57:14 126:4,5
deteriorate 3:10
deteriorated 35:3
deteriorist[sic 131:21
determine 12:22
develop 181:24
developed 134:16
developers 13:5 59:21 184:7
development 13:19 14:1 35:23 131:13 132:9 133:4 168:21
devices 61:16
dialogue 79:2
differ 123:22
difference 21:11 34:11 146:10
different 4:3,6 13:7,8 27:22 42:4 59:13 104:17 139:9,10 140:10 145:4 160:17 174:12 174:24 181:9
differently 162:23
difficult 24:8 46:11 52:19 127:1 141:5
difficulty 48:5
dig 139:7
diligence 130:9 131:6 168:1,1
diminished 47:9 50:22
direct 4:12 5:18 160:14 168:6 186:20
direction 159:2
directly 31:14 86:11 161:2 182:22
Director 23:19 26:24 74:10 166:10
directors 28:21 45:10
Director's 143:22 146:23 150:18 150:19 161:18
disagree 58:4 95:20
disaster 58:11
disasters 181:18
disastrous 58:3
Disciplinary 137:14
disconnect 171:3
discount 14:21 18:3 90:2
discounted 118:4
discuss 4:1 82:9
discussed 99:21
discussing 31:8 167:8
discussion 9:4 18:21 36:11 41:23 45:1 55:21 56:13 91:7 92:13 114:17 116:5 183:14
discussions 6:4 90:19 103:19 121:19 146:11 173:24
disincentive 71:13
dismiss 82:2 113:19
dismissed 82:6 95:4 114:14
disposing 13:14
disproportionally 17:20
dispute 160:11,11
disregard 59:9 163:2
disrespect 180:19
Distinguished 46:12
distressed 9:9,15 9:18 14:23 17:14
distressing 64:8
distributed 9:20
district 6:6 31:6 55:22 68:15 75:20 83:8,8 85:4,22 87:1,2 104:12,12 106:5 107:7,7 145:12 145:12 156:1 168:3 174:7 175:5 181:2 183:17
Districts 154:5 174:12
disturbance 160:2,6,10 161:4
disturbances 160:5
disturbing 126:19
docket 114:1
doctor's 132:4
document 164:15
documents 2:16
dog 110:20
dogs 110:18
doing 22:8,13 24:19 63:4 71:20 73:4 87:4 89:14 94:19 100:4 107:10 119:24 140:7 141:7 154:9 155:1 158:19 174:16 175:10 179:8 181:12
dollar 16:2 18:14 31:12 151:23
dollars 16:8 17:18 18:11 31:24 32:1 56:5 66:1 77:19,19 81:15 88:17 92:11 108:16 115:12 179:17
domestic 160:11
domino 3:12 20:3
door 65:11 96:22 110:23 115:6,11 129:22 136:18 136:19 142:3 151:20 156:15
doormats 126:17
doors 133:17 151:15
Doris 168:21
dorm 171:13
downhill 62:23
downspout 96:23 96:23 97:5
downspouts 85:15
downturn 20:19
downward 68:23
Dr 62:6,8 73:8
drastically 50:22
draw 46:15
dressers 94:3
drinking 126:15 126:16 135:19
drive 132:2
driven 13:5 127:19
drop 81:9
dropped 102:12
drug 63:10 178:1 178:3,17,19
drugs 133:18 160:10
drunk 126:24
due 130:9 131:6 159:3 168:1
dumped 166:1
dumpster 94:4,5
Dunbar 122:20
duty 125:17
dwellings 14:19 15:21,23
dwelling's 10:23

E

E 186:1
eager 3:20 5:2 6:9
earlier 87:8 98:21 99:6 101:10 102:14 107:19 111:10 123:11 144:12
early 93:23 145:23
easier 29:15 32:11 125:1
East 76:13 123:9 124:1 130:17 139:9 176:22

economic 17:6 40:14 42:12 48:24,24 102:1 132:3,9
economical 8:24
economist 8:16
economists 12:19
Econsult 8:12,18 12:20
educate 74:17 154:8
educated 107:21 156:17
education 40:23 124:4 153:24 154:24
educational 52:12 139:11
Edwin 5:7 185:1
effect 3:12 14:6 20:3 40:6 43:11 98:20 99:1 101:23 131:19 131:21
effected 11:18 15:7 16:1
effective 30:11 173:1
effects 2:12 19:12 58:3 111:8 132:8 177:13
efficient 4:9 113:17
effort 4:9 150:1 173:20
efforts 69:24 148:23 152:9 175:3
egg 77:7
egregious 145:6
eight 100:18 101:15
either 9:7 17:13 40:2 84:6 106:12 121:3,4 151:5
eke 63:18
elderly 126:14
elected 4:7
electric 53:3 57:12
electrical 58:17
element 59:23 173:22
elevate 78:10
eleven 39:22
eliminating 3:24
else's 137:10 141:22
eluded 98:20 101:10
emphasis 73:19
employed 118:12
empower 6:17
enables 52:2,3
enacted 49:16
encourage 38:5 71:24 115:1 119:14 173:10
encouraged 79:7
encouraging 13:20 116:1 136:22
ended 47:9
endured 178:10
Energy 23:9
enforce 5:20 24:3 25:5,17 29:3,5 34:6 53:12 145:17 151:15 179:10
enforceable 134:15
enforced 42:24
enforcement 6:11 22:1 24:5,8,12 24:15 28:20 29:7 30:1 32:5 32:11 33:13 34:4 38:6 69:23 78:10 136:21 146:2 151:15 155:6 176:19 183:1
enforcing 33:6 34:8
engaged 159:22
English 180:17
enhance 128:13
enjoy 174:18
enormously 48:1
ensure 55:20 65:1
enter 134:11 164:4
entire 3:8 11:16 12:2 20:4 164:11 168:2
entirety 47:10
environment 60:9 60:17 135:21
EPA 49:19
equally 42:24
equipment 57:14 165:23
equipped 42:12
Equities 104:23 105:2
equity 34:21
equivalently 13:3
escalation 150:10
escape 57:16
escapes 57:16,19
especially 13:7 18:21 35:2 45:20 176:21
established 134:20 148:18 149:15 150:9
estate 17:11 46:18 46:20 48:8 60:24 66:12 74:23 108:16 109:16,16 139:15,21
esteemed 8:13
estimate 16:19
estimated 10:9 15:3,8 17:17,23 18:7,13
estimates 16:7
evaluating 41:17
evening 7:19
eventually 24:18 108:21 117:22
everybody 49:4 54:20 67:15 68:23 70:24 92:8 153:13,15
everyday 59:22 152:18
evict 72:10,12 95:24 96:6 129:12
evicted 67:3 96:3
evicting 61:18 96:14
eviction 39:9,20 58:4,13 71:20 95:22,23 108:6
evictions 58:6
evictors 67:3
evidence 186:6
exact 94:21,22
exactly 11:15 128:18
exalted 47:11
examine 11:20
examined 14:5,9 15:12
example 9:23 71:16,19 95:14 100:5 107:19 108:1 134:4 145:24 155:24
examples 60:22 77:10,11 141:20
exceed 11:23
exceeds 14:20 117:21
exceptions 140:4
excessive 94:13
excluding 115:8
exclusively 152:5
excuse 34:15 38:2 60:12 173:15 176:16
excuses 125:15
Executive 23:19 26:23 105:2
exercise 127:23
exist 11:11
existence 10:8
existing 22:1,1,2
expand 33:5,11
expanding 120:24
expect 92:16 175:8
expected 60:16 129:8
expecting 67:5
expenses 48:3 66:11
expensive 36:24
experience 36:19 38:8 58:12 136:12 138:4 139:3
experienced 171:18 174:7 175:20
experiencing 170:3
explain 19:9 57:20 146:12 153:21 155:12 155:13
explaining 5:9
explore 37:13
exposed 158:18
extends 172:8
extension 163:12
extent 2:17 72:18 106:21 166:16
extenuating 111:13
exterior 164:3,13 166:3
extra 34:9 179:9
extraordinary 40:8 54:4
eyesore 19:17
e-mail 139:23

F

F 85:16 186:1

face 46:13,17 47:13
faced 47:12,17 58:16,17
facing 23:12 47:24 48:22
fact 3:21 11:13 13:5 21:10 30:2 42:21 55:22 57:5,9 77:8 79:11 86:9 127:14 128:15 145:1
factor 106:24
facts 102:14
fail 60:2,10
failed 5:12
failing 5:20
fails 150:10
failure 23:23 24:3 25:5 74:20 94:13 101:4
fair 21:15,19,21 101:17 178:3,10
fairly 21:4
fall 3:16 67:18
falling 66:8
Falls 76:13 123:9 124:1 130:17 139:9 176:22
falsehoods 59:14
families 126:13 133:24 135:22 174:17
family 67:15 130:15,16 179:13
fancy 54:23
Fannie 115:17
far 58:4 152:9
Farms 76:16
fashion 46:7 73:1 131:2
faster 59:5 71:21
father 62:7 63:4
fault 49:23 137:10
favorite 143:19
fear 87:17 170:2 182:15
Federal 49:16 51:1
fee 44:16 71:19 114:3 163:19 165:5
feedback 171:24
feel 28:22 29:14 29:21 62:23 102:19 106:22 130:18 155:2,5 159:1,2 184:1
feeling 98:21,24
feelings 78:20 169:22
feels 130:20
fees 34:7 61:20 71:18 88:2 92:18,18 152:13
feet 16:24 183:2
fellow 8:20
Fels 122:18
fence 16:19
Ferry 31:7
Fifteen 169:16
Fifth 181:2
fight 103:5
fighting 102:16
figure 28:15,21 76:21 77:15 121:6 134:10 165:15 167:2 177:19
figures 102:15 109:14
file 71:23 81:19 95:24 108:5 119:8 137:14 164:24
filed 58:9
final 86:16 89:1,2 142:24 157:18
Finally 6:5 61:18 150:16 152:1
finance 46:21 56:7 150:19
financed 87:11 99:4
financial 147:18
financing 46:21
find 5:10 64:5 66:16 72:13 89:14 107:23 108:3 125:3 127:3 139:7 151:12 156:23 179:15 180:6
finder 165:5
finding 72:21 151:9 178:15 182:18
findings 12:24 13:15 14:14
fine 33:18 81:23 87:20 115:22 116:3,5 119:4 151:18
fined 24:18 73:5
fines 61:12 87:2 88:2 94:17 107:8 116:1 151:23 152:13
fining 34:3
fire 57:13,16,16 57:19 64:19 67:17 105:24 149:13 180:8 183:3
firm 74:18
firmly 22:3
first 3:24 8:9 15:15 62:7 63:20 65:8 73:24 80:7 81:24 92:18 98:16 112:17 151:9 155:13 162:23,24 163:4 171:12 173:20 182:5
firsthand 141:19
fiscal 9:1 11:17 15:12 17:6 144:1 148:20 149:1
five 15:6,18 87:12 112:1,6 118:1 140:1 144:8 158:6 162:20
fix 48:17 49:2 58:18 66:1 77:16 97:20,20 157:4 184:3,12
fixed 6:9 29:19 85:17 118:24
flagrant 125:13
flashing 54:5
flexibility 129:20
flip 78:8
floors 134:6
focus 4:13 6:6 51:14 75:1 162:2
focused 36:7 135:17 149:16 151:9
focuses 14:22
focusing 181:15
folk 76:6 180:21
folks 75:24 131:8 141:2 142:10,24 154:8,18 168:14 168:16 178:12 179:19 181:24 184:20 185:5,10
follow 138:14,17 140:9 160:14
followed 88:15
following 15:2,18 100:9
follows 14:15
foot 16:20,22,24
footage 16:22
forbid 64:21 79:5
force 25:20 26:11 70:1 140:18 161:16
forced 22:6 35:8 47:3 150:1 152:10
foreclosed 102:2
foreclosure 68:10 89:18 92:1
foreclosures 89:12
forefront 145:20
foregoes 12:8
foregoing 186:8 186:17
forfeiture 146:9
forgotten 44:16
form 70:1
former 76:2 178:11,12
forms 14:8
formula 12:7 16:6
forth 78:19 133:17
fortunate 123:10
forty 23:14
forum 80:22
forward 4:5 5:3 7:5 12:15 40:4 47:2 59:16 70:19,21 79:14 80:1 116:14 121:18,19 122:1 122:9 145:22 146:11 159:11 167:23 184:11 185:10
found 13:21 17:10 41:4 43:13 54:8 110:12 113:20 123:18
four 4:22 39:5 66:20 87:12 112:24 143:8 144:7 162:19 163:17 172:9 174:2
Fourth 75:15
frame 9:3 95:22 149:14 158:11
Fran 142:16 144:23
frankly 32:18

46:9
Freddy 115:17
free 70:6
frequent 75:24
frequently 139:16
friend 23:4 53:13
friends 126:10
front 40:10 48:12 92:18 115:11 143:7 165:23
full 2:16 62:17 85:18
fully 125:20 145:22 186:6
function 36:6
functional 151:19
fund 29:23
fundamental 23:21 25:4,21
funders 14:2
funding 35:22
funds 29:21 115:6 115:15
further 11:12 75:7 98:6 113:7 142:7 159:8 166:6
furtherance 2:13
future 67:23
FY11 143:24 162:10

G

G 67:12
gain 15:7,11 16:2 92:15
game 63:15 77:24
gardens 14:8
garnish 40:12
gas 76:19 88:6 89:16 90:4 117:5
general 15:17 20:22 28:9 73:13 172:5
generally 21:3 37:9 44:13 48:23 126:18
generate 18:8,10 19:19 36:7
generated 16:9 47:4
generates 18:15
generation 62:19
gentleman 44:24 96:22 137:1
George 23:3,8 27:24 34:23 39:17 40:6
getting 24:18 33:9 66:15 94:19 95:16 97:11 100:20 103:8 110:2 112:11 118:17 120:15 135:21,23 172:10 175:24 177:22 179:21 180:8
Gillen 8:11,13,16 19:5,11 20:12 21:21,23 22:24
Girls 70:15
give 7:15 47:14 51:11 52:4 55:2 55:7 59:2 60:15 62:9 64:12 78:6 87:21 93:1 100:4,5 114:23 124:16 129:10 129:20 134:4 144:10 147:9 156:19 159:3 163:9 164:21 179:9 184:13
given 10:20 18:21 29:6 35:22 68:9 82:10 122:22 146:19 156:4 163:24
gives 17:1
giving 54:22 95:13
glad 30:14 62:20 103:16,16 155:3
gloves 49:18
go 19:1 30:6 32:14 33:6,12 42:7 57:14 61:23 64:18 67:8 71:17 72:12 79:21 81:8,20 84:9 87:23 94:6,11 95:3,8 97:20 98:2 102:4 104:9 107:14 109:18 113:14 114:9,10 115:14 119:1,9 120:14 120:23 126:2 127:3,21 128:3 130:8 133:20 136:20 138:13 145:16 148:2,8 156:16 158:2 164:4 165:2 171:19
goal 163:13
goals 148:15
God 64:21 79:4
goes 20:5 24:2 46:20 48:18 54:14 55:3 65:7 77:24 89:22 158:3 164:11 174:12
going 19:17 22:20 28:17,23 30:19 31:14 48:15,16 48:21 49:7,11 49:14 51:15 54:3,10 55:17 59:4 62:12 63:9 63:24 64:1 65:3 66:13 67:16,18 67:19,20 68:11 69:5,19 71:8 75:3,4 76:4,19 76:20,23 79:20 79:21 80:6,19 80:19 82:12,23 87:1,4 88:4,16 89:7,16 90:8,13 90:20,24 91:9 91:12,15,18,19 93:10,12,13 96:15 98:13 100:17 101:15 102:4 103:6,20 103:22 105:6 107:9,22 108:9 117:5,6,7,8,22 120:4,10 122:8 129:22,23,23 130:6 131:7 135:2,15 141:23 142:12,14,19 145:22 146:11 147:15,24 148:1 148:8 153:15 167:17 168:15 170:6 171:24 172:3 173:3 176:20 177:4 179:18 180:1,4 181:3,14 184:8
golden 77:7
good 2:2 7:2 8:13 19:4,5 20:22 22:22,22 23:4,6 23:7 24:22 27:17,18 34:12 36:24 37:22 42:7 45:4,5 46:2 46:4,5,9 47:7 49:5 53:13 55:6 55:19 57:17,21 57:24 59:8 60:4 60:14 62:9,14 65:12 68:10,22 70:11 73:3,23 74:17,18 77:10 80:10 81:22 98:10 108:19 118:8 144:22 145:24 148:9,9 151:12 152:14 152:17 167:16 169:3 172:10 175:9 176:8 182:11
goose 77:6
gotten 35:5 118:3 174:22 175:17
Gould 23:4,6,8,8 27:24 32:13 35:1 38:18,23 39:1,4 42:18 53:14
government 49:16 51:2,6 55:7 74:20 120:11
governmental 73:17
gown 77:1 130:11
go-to 143:19
grace 114:21
gracious 40:3
grading 16:17
grads 170:8
grander 111:6
grant 141:8
grants 70:16
grass 16:18 110:1 111:7 112:5
Gray's 31:6
great 30:13 55:4 89:12 107:20 122:24 138:22 176:20
greater 13:3 78:16
green 13:23,24 14:9 15:3,13,17 15:22 16:4,13 16:23 17:1 18:7 43:14 44:9
Greenfield 122:10 123:5,6 130:13 135:12 135:15 136:15 139:5 140:12 141:15

greening 18:14
Greenlee 1:14 2:21 25:12 70:7 133:6
grew 3:7,9
gripes 99:17
grocery 73:15
ground 177:18
group 24:24 27:10 56:3 79:15 96:1
groups 4:7,8 69:16,17 125:5
grows 110:1
growth 184:6
guarantee 55:1
guardianship 119:20 120:3
Guatemala 180:18
guess 57:3
guests 130:3
gushing 48:13
gut 81:9
gutters 85:15
guy 63:23 137:11 137:15 143:19
guys 92:10 103:2 119:18 120:9,16 143:17
gym 127:22

H

habit 163:2
habitable 51:13
habitual 95:19 98:4 111:6,16 163:1
haircut 112:12
half 12:1 59:18 87:12 136:20
halfway 63:10
Hall 1:7
hammer 134:10
hand 62:24 64:12 145:4,4,8,8 146:22,22 159:13 160:20 161:1,1
handle 129:4 178:24
handles 164:4
hang 69:9 183:13
Hanson 164:17,18
HAPCO 23:3,4 31:21 45:2,7,21 48:11 55:14 56:15,23 58:12 69:15 81:3 84:15 99:6 122:17
happen 28:15 32:13 34:5 91:12 93:21 107:17 126:10 130:3 164:8 174:24 180:6
happened 64:9 69:7 102:12 108:9
happening 63:8 156:15
happens 50:10 95:23 125:18 161:5 166:24
happily 47:21
happy 3:4 18:18 96:20 146:12 148:22 153:1 180:20 181:22
harassing 120:16
hard 3:15 38:12 52:21 77:22 78:20 84:16 87:20 141:8,10
Harvey 45:10 55:13
hats 145:14
hauler 94:14 95:1
hazardous 178:22
head 179:17
healthcare 40:22
Healy 142:16 143:14 144:18 144:19,22,23 153:18 159:16 159:17 160:4 161:15
hear 31:21 37:2 40:6 41:20 46:6 51:20,21 72:5 75:16,17 92:9 103:17 133:12 143:14 155:4 183:18
heard 3:19 27:22 79:2,16 133:15 136:2 139:20 144:12 176:21
hearing 2:3 3:17 4:1 5:23 6:11,15 31:3 39:5,18,20 73:20 75:13 81:4,20,21 113:18 131:18 153:9 158:5 168:10 172:16 182:13 185:11
hearings 2:11 45:20 70:23 80:19 132:12 183:21 184:2,17 185:7
heat 29:24
heater 54:14 58:17 65:20,21
heavily 114:20 126:1
heavy 146:16 164:5
held 170:15
help 9:3 12:14,16 22:4,12 40:14 47:7 52:24 64:9 74:16 78:4 125:6,9 154:17 154:23 160:21 175:12 181:24
helpful 129:2 156:8
helping 26:19 65:15
Henon 1:13 2:20 3:1 19:2,3,6 20:7 21:15,22 22:16 23:15 31:2 45:24 51:18 52:20 57:1 69:11,12 71:9 78:21 79:8 79:24 80:2,8,21 82:15,17,22 83:3,7,11,17,20 84:1,3,11,23 85:5,8,10,21,24 86:2,15,23 89:2 93:16,17,21 95:9 97:23 103:14,15 104:1 104:4,9,15,19 104:22 105:1,4 105:7,14,20 106:1,8,15 107:2,5,15 108:23 109:4,8 109:11,20 111:4 111:12 112:5,11 113:1 121:15,17 133:6 135:1,13 135:24 136:7,11 137:21 138:3,6 138:22 139:2 140:11,14 141:4 141:11 142:7,19 143:11 147:6,23 148:10 153:6,7 154:14 155:2,9 155:22 156:22 157:7,19,22 158:8 159:5,8 159:18 161:6 162:6,13,21 163:1,21 165:13 165:16 166:5,12 166:16 167:7,13 167:16 168:6 173:23 182:17 183:8,9 184:19 184:21 185:2,9
Henon's 33:18 45:19 181:22
Hi 123:5
hide 81:5
high 9:20 11:3,21 12:11 14:24 18:2,13 22:10 22:11 37:4,17 43:24 54:5 60:21 76:8 109:24 110:13 111:7 112:6 128:14 144:3 151:23 164:6 180:22
higher 21:13 37:18 41:6 75:21
HIL 83:21
hire 94:13 114:9
hired 103:5,17
history 4:19 109:22
hit 64:18 66:13
hitting 20:20 66:12
Hogeland 79:23 98:9,10,16,16 103:24,24 104:3 104:6,14,17,21 104:23 105:2,6 105:10,17,22 106:6,11,21 107:3,12,18 109:3,6,10,13 120:8 121:4 122:6
hold 2:10 5:19 36:11 127:12 149:4 170:21 185:5,7
holding 12:23 61:12 111:14 183:2
holds 8:17
holistic 161:10

Holmesburg 132:21,23
home 2:18 12:4 14:12 15:19 16:2 17:18 19:13,15 60:7 63:8 70:6 93:12 116:15 118:24 156:14 171:13 174:19
homeless 92:24
homeowner 168:20
homeowners 10:22 11:18 15:11 19:24 20:22 30:18 45:7 91:20 116:8 134:15 167:1,2 176:15
homeownership 76:9 88:4
homeowner's 116:15
homes 11:7,24 12:4 14:17 15:3 15:5,16 16:1,4 19:22 20:1 21:12 51:9 92:4 93:2 126:8 130:15,16 178:9
honest 79:2,3
honestly 146:1
hope 52:20 103:17 125:2 152:14,16 174:24
hopefully 113:3,4 167:18 181:16
Horticultural 13:22 15:13 16:15
hose 96:22
hospital 163:7
hour 63:2 127:20 130:1
hours 61:10 65:19 133:20 172:7 174:20
house 10:9,19,20 11:13,16 15:9 15:17 17:21,21 17:22 18:3 21:7 48:13 50:13,14 53:4,5,6,20 54:18 55:5 57:12 64:10,10 65:3,7,19,20,24 66:20,21 67:12 67:16,17 76:4 94:18 96:9,24 97:11 100:7 107:23 110:16 115:11,12 127:24 140:2 172:21,23 179:2 179:3,14,19 180:1
households 15:8
houses 50:19 63:10 65:13 66:3,4 68:1 69:2 88:5 103:9 124:19 170:7 171:5 178:2,3
housing 12:2,5 14:1 15:7,20 16:3,6 17:3 18:9 18:15 19:10,12 20:7,15,18 21:3 21:9 22:14 23:9 24:4 29:5 34:8 35:21 36:1 41:19 42:22 43:2,3,6 51:4 54:1 55:20,23 56:9,11 58:20 63:5 68:12 70:8 72:14 76:17 83:20,21 86:12 91:1 105:8 123:18 125:8,19 130:14 135:18 139:12 148:16 149:12 150:13 155:16 177:17 177:17 178:4 179:20
Huh 38:23
hundred 16:7 18:11 82:4
hundreds 3:19 27:16 43:16 50:16 51:15 88:6,16 90:11 90:11
hurt 132:7 180:8

I

iceberg 32:3
idea 19:11 30:13 72:1 146:15 172:15
ideas 51:3 72:22 120:7 121:6 173:11
identified 151:3
ignore 27:20 30:5
illegal 61:15 159:22 160:2
imagine 29:20 134:9
imbalance 37:7
immediate 160:8
immediately 84:10 85:20 86:7 100:8,13 101:3 106:11 124:23
imminent 86:6,12
impact 15:12 69:4 86:20 95:11 106:19,22 107:1 128:11 134:13 141:17 166:17 182:9
impacted 15:24
impacts 174:8
impair 60:19
implement 29:16
implemented 152:1
implication 9:1
implications 10:7 11:17 17:7
implies 9:16 15:23
implying 9:11
importance 133:1 164:1
important 6:4 28:1,18 30:1 32:4,6 40:16 44:21 70:10 133:8 142:13 183:14
imposed 163:19
impossible 99:13 140:13
impressed 130:8 131:6
improve 21:12
improved 6:13 22:5 30:8
improvement 143:23 172:13
improvements 149:5
improving 18:12
inactive 117:7
inappropriate 135:20
incarcerated 178:12
incentive 71:12 141:7
incentives 70:10 70:16 72:7 73:11
incentivize 6:18
inches 112:7,9,18 112:20
include 130:2 133:18
included 5:15
includes 16:17
including 28:5 61:14
income 23:12 41:3,6 47:3 49:22 50:1,2,2,5 58:19,20,20 67:1 124:7,14 167:1,3 182:20
Incorporated 104:24
increase 13:10 15:16 16:10 18:8 40:18 47:22 48:1,21 56:1 75:21 93:13 149:1 177:6
increased 150:12
increases 18:5 47:12,13,23 48:22
increasing 49:21 61:3
increasingly 128:23
incremental 16:6
independent 19:14
indicate 10:17
indicated 39:17
indicating 72:16
indicators 151:7
Indira 142:14,18 143:5,10 147:4 147:11 148:11
indirect 160:13
individual 9:1 12:22 40:21 138:15 141:23 154:16 160:6
individually 135:7
individuals 160:13
induce 19:24 22:12
indulge 59:1 62:6
infested 178:18
inform 175:6

information 53:9 53:10 131:16 140:23 146:20 147:17 153:16 156:4,9,20
informed 80:22
inherited 69:3
initial 157:16 158:21
initially 9:19 11:1 45:17 55:13
initiative 87:16 119:18 133:7 146:2 150:17 152:2,18
injunctive 146:8
inordinate 158:15
input 164:17 173:10 184:14
inputs 149:10
inquired 50:6
inside 96:11 126:19
inspect 41:8 43:4 43:8 126:3 129:18
inspected 149:14 157:9
inspecting 149:17 149:19
inspection 24:11 83:21,21 105:8 142:15 148:16 150:13 157:17 157:18 158:1,21 158:22 176:13 176:19 178:5 179:5 180:5,15
inspections 1:3 2:4,10 8:5 24:15 44:1 49:9 148:12,14 149:13 154:2 158:16,17 162:9 185:12
inspector 66:6 94:22 107:22 108:2 155:23 156:23 164:10 164:11,16 165:1
inspectors 29:6 86:10 157:5 179:6,9
installation 16:18
instance 58:7 68:15 138:16 140:20 178:18
Institute 8:21 122:18
instructed 96:3
insurance 48:18 48:20 64:17,19 64:19,21
insurers 64:24
intended 130:15
intends 150:22
intent 97:23
intently 76:18
interact 154:20
interaction 47:16
interest 40:14 57:2 60:20 117:3 122:24 143:3
interested 31:4 62:16 73:23
interesting 35:20
interim 13:18
international 62:2
intervened 35:7
intervention 120:20
intriguing 75:14
introduce 6:13 123:3
introduced 69:18
introduction 45:17
invest 20:2 22:14
invested 22:5 34:10 108:15
investigated 47:2
investigation 2:14 178:8
investing 21:9
investment 19:21 21:14 30:8 60:2 60:11 108:12,14 108:21
investor 90:7
investors 75:22 115:18
invitation 45:21
involved 78:8 99:2 104:6 160:16 173:18
involvement 133:10
involves 77:17
iota 49:12
irresponsible 88:17 91:3,4,5 93:15
isolated 111:5
issuance 2:14
issue 2:11 6:24 7:5,7 8:23 25:13 25:24 27:10,24 29:8 33:3 44:21 52:22 58:23 68:9 70:8 75:15 75:18 82:3 86:4 86:12 100:14 106:10 118:15 120:3 127:24 131:4 136:4,10 138:11 140:22 141:21,24 145:11,20 156:14 165:19 166:3,14 180:14 182:19,24 183:15 184:21 185:3
issued 4:22 25:14
issues 3:3 4:16 5:2 6:14 20:24 22:9 23:20,22 25:21 36:19,20 37:5 38:7 44:8,19 45:16 48:24,24 53:15 55:15 57:15 77:1 80:23 86:19,19 95:11 100:8,12 102:21 106:18 106:18 130:11 131:17 133:3,13 133:15,18 134:13,18 135:9 135:16,18 136:5 138:2,17 140:16 140:20 141:13 141:17 142:5 145:4,10,11,18 145:19 146:3,6 153:22 161:10 164:3,14 168:2 169:18 173:9 174:3,21 180:11 181:16 184:4
items 48:8

J

jack 76:4
James 79:22 80:11 82:21
JANNIE 1:13
Joan 45:11 62:6
job 44:2 103:6 121:6 125:6 138:13
jobs 138:20 172:5 172:5
Joe 53:5 122:16 122:16
John 122:15,17 151:21
Johnson 1:14 7:13 30:22,23 32:12,16 33:15 34:12 41:12,14 41:22 44:4
Johnson's 53:19
joined 7:11 18:24 23:3 73:2
joining 2:19 45:3 143:5
joint 1:3 2:3,9 4:12 6:20 7:21 77:5 168:10 184:1,17 185:13
joke 112:13
Jon 41:12
Jones 1:12 2:2,19 6:23 7:24 8:8 53:6 75:11,12 113:9 123:10 125:9 130:10 133:6 173:15 175:4 182:2,3 183:10,10,24
JR 1:12
judge 34:21,22 36:7 82:2,5 95:4 114:11,12 152:4
judgment 39:6
judicial 100:21
Judith 168:20 176:9 181:19
jumping 171:22
June 1:8
jurisdictions 21:5

K

K 1:14
keep 56:24 95:16 112:11 120:24 154:10,10 184:8
keeping 7:6 92:4 144:16
Kensington 62:20 62:21,22 64:14 64:24 67:21,24 68:14 69:5,8 75:16
Kensington's 68:24
Kenyatta 1:14 53:19
Kevin 8:11,16 21:15 122:16
key 90:21 96:11 149:5

kids 126:24 136:17 171:12 171:20
kill 77:6
kind 27:6 30:11 33:3,9,11 40:23 49:19 63:18 72:5 77:17 113:13 119:13 126:20 128:18 129:7 159:20,21 160:1 164:5 175:14
kinds 49:17,19 54:22,22,23 125:15 145:3
KING 186:13
kitchen 65:22
knew 39:3 44:17 108:18 123:16 124:2 169:23
know 3:3 21:2 24:17 26:20 28:7 31:23 38:2 40:7 47:15 49:8 53:7,15 56:20 57:18 64:6,9,20 65:12 67:13 68:9,11,15 69:16,18 70:5,8 70:17 73:9,22 74:8 80:9 82:7 82:11 83:9 85:21 88:6 89:7 92:5 95:16 97:9 98:1,1,23 99:24 100:12,20,23 101:9,14,16 102:2,19,21 103:11,18 104:11 105:11 106:5 107:19,21 107:24 108:7,11 108:14,20 109:19,24,24 111:10,21 114:17 115:6 116:24 118:13 118:15 119:17 120:3,6,16,20 120:21 121:15 121:19 122:2 124:6,20 125:15 125:17,21 127:4 128:7 130:19 133:8 135:4 137:10,19 138:13,15,16,18 138:19 141:1,6 141:22,24 142:1 142:10 143:11 143:17 144:14 146:1 147:4 153:9 159:12 160:2 163:2,8 165:24 166:20 167:7,8,19,24 168:2,3,18 169:10 170:5,23 171:1,8,10,14 171:23 172:8,11 172:11,13 174:2 174:19,23 175:5 175:9 177:8,23 178:8,11 179:5 180:4,7,10,13 180:24 181:4,8 181:11,13,13,20 182:19 183:12 183:16,21 184:4 184:10,20
knowing 123:23
knowledge 38:11 61:16
known 137:2 175:16
knows 20:19 48:23 67:15 114:13 165:1
Kromer 122:17

L

L 1:13 2:4
LA 77:13
labor 180:16
lack 19:10 24:14 25:23 29:6,7 40:22 176:18 182:23
lacking 24:16 146:10
lady 107:20 135:10
laid 77:6 96:23
land 9:8,16,17 12:23 13:11,12 13:14,16,18 14:22 16:13 17:13 90:21,22 90:22 91:7 92:14,20 160:20
landl 146:7
landlord 6:16 27:19 28:12 30:7,10 31:15 31:17 32:19 39:4,8,13,13,20 40:2 41:16 42:19,20,21 43:9 46:2,4,5,9 47:8 49:5 57:21 59:6 61:17,20 62:8,9,19 63:14 66:7 71:16 72:2 72:3 73:7 80:24 83:12 84:6 96:5 96:13 102:10,21 103:2 118:17 129:17 160:7,14 160:15 170:17 170:17 171:2,16
landlords 2:11 4:6,18,22,23 5:6 6:2 7:2,3 23:13 23:24 24:17,21 24:22,24 25:7 25:18,20 26:3,7 26:10,12,15 27:14,16,17 28:2 29:12,22 30:2 31:10,10 31:22 32:6,14 33:10,23 38:5 38:15,19 40:7 40:15 41:2,18 41:24 42:4,6 43:1,12 44:1,13 45:22 55:3 57:5 57:10,24,24 58:15 59:22 60:4,14 61:7,12 61:13 62:1 66:19 68:11 70:2,11 71:15 72:21 73:3 74:17,18 75:3 76:10 79:21 98:19 99:19 102:9 119:12,12 119:13,15 120:2 120:4,13 121:16 125:12 127:2 128:5 129:11,11 130:24 133:14 137:5,6,20 139:4 140:19 141:14 142:6 145:7 153:17 154:13 159:21 160:1,24 161:3 166:22,23 167:8 170:14,22 171:7 184:6,22
landlord's 120:18
landscapers 112:2
Lane 127:20
language 181:10
large 11:2 21:5,10 59:15 70:12 79:9 141:7 150:24 165:23 183:18
larger 11:16 15:12 20:24 150:17
largest 140:16
Lastly 16:12
lately 29:11
latest 86:14
laugh 51:11
launched 149:16 150:17
law 5:18 28:10 38:18 39:14 49:9,12,13 66:13 72:16 78:9 115:4 128:24 136:22 137:15,17 140:9 152:4 183:1 184:23 185:4
lawn 94:14 111:23
lawns 133:16
laws 22:2 39:11 42:19 46:8 49:17 179:11
lawsuit 87:16
lawyer 114:9 137:12
LCB 161:23
lead 49:9 66:13 88:4 93:12
Leader 113:11
leadership 14:3 122:13 133:9 175:1 184:19
leading 71:10
leads 3:13
learn 123:8
lease 26:12 125:16 170:18
leasehold 43:4
leases 129:6,9,16
leasing 26:3
leave 76:3 92:20 181:14
led 81:4 150:18
left 65:23 94:2,2 128:16,17
legal 23:10 26:6 34:18 38:15 45:7 61:20 95:21 118:12

128:2 129:16 152:2
legally 129:14
legislate 68:21
legislation 6:14 34:23 69:19 125:11,22 130:2
legislative 71:1
legitimate 99:17 108:7 113:20 118:8 119:2
lend 46:23
lenders 87:10 99:1,7 115:8,17
lest 61:10
letter 5:14 7:19 47:8
letters 137:8
letting 58:22 91:11
let's 51:14 156:22 157:7 171:21 184:13
level 33:11 67:1 72:17 149:15 155:12,18
levels 47:4 60:15 60:21
leverages 56:5
Levin 45:10,11 58:24 59:4 62:6 62:8,15 73:8 79:18
liaison 110:6 120:13
license 1:3 25:5,6 25:7,11,11,14 25:16 28:2 31:11,17 32:4 32:10,20 52:11 52:19 66:22 70:8 71:13,14 71:19,22,22 72:11,13,14,15 74:14 84:7 85:7 101:11,13,21 105:8 142:15 148:17 149:22 149:24 151:6 152:12 176:12 176:19 179:4 180:4,14 182:12 182:14 185:12
licensed 31:22 32:15 51:24 52:1,2,5 72:2 73:1,3 81:2 148:21,24 149:20
licenses 2:4,9 8:5 25:8,9,19,20 31:24 51:21 58:1 74:10,13 83:21,22,24 84:8 85:6 88:22 148:12,14 150:14 154:1 165:1
licensing 27:24
lien 30:6 165:11
lieu 118:7
Lieutenant 144:18
life 3:8 4:16 61:15 78:11 111:8 125:1 135:9 145:10,19 153:22 161:10 166:13 167:10 168:2 169:18,23 171:17 174:21 177:5 183:3
lifting 146:16 164:5
Light 36:4
limit 21:16 50:7,9 127:21 128:2,4
limited 63:6 123:15
limiting 115:18
line 37:16 47:5,7 47:9 64:7 92:7 93:14 100:10 117:23
lines 47:1 61:5 161:5
lip 140:16
list 4:23 28:3 55:18 57:14 61:23 123:20 124:12,16 137:2
listen 79:5
listened 76:18 170:11
lit 125:12
literally 76:3
littering 61:12
little 13:16 15:23 24:6,6 25:19 35:24 49:20 52:10 56:11 68:16 76:5 103:19 129:3 164:24 167:4 169:15 179:9 181:6 184:12
livable 55:6
live 36:23 38:1 50:11,17,18,21 50:24 51:16,17 63:7,22 74:6 83:1 104:1 124:19 126:21 127:9,16 130:5 143:23 179:23 182:19
lived 3:8 50:19
lives 64:7 110:9
living 53:5 63:19 67:18 68:2,5 70:5 76:22 79:6 125:20 173:11 178:9
LLC 104:16,20 104:21 105:3,3
LLCs 104:7,15 105:18
load 94:6,11
loader 165:21
loaders 165:23
loading 94:8
loan 54:10 90:9
loans 53:22 54:8 70:16 92:24
local 14:16 126:22 133:2 139:15
locate 5:8
located 58:6
location 10:11
lock 96:11
logic 61:1
logo 176:1
long 7:1 14:2 29:10 33:23 40:5 55:18 62:3 68:12 77:16 78:23 79:1 83:17 88:14 96:17 105:4 134:9 153:9 157:11 158:9,13 159:3 176:13 183:12,12
longer 46:23 50:18 51:17 144:12 149:24 152:21 164:23
longstanding 160:18
look 5:2 8:4 33:15 36:9 37:13 43:17 53:9 67:4 69:22 70:19 77:9 97:16 114:19 121:18 133:5 159:1,10 172:20 175:11 180:18
looked 14:21
looking 29:1 36:2 37:21,23 50:1 65:1 70:15 73:10 79:14 117:13 121:5 146:5 161:9 173:8 183:16
looks 47:23 117:1
Lord 23:2,18 26:18,22,23 31:19 33:14,17 34:15,18 36:13 37:2 39:17 41:20 43:13 53:13
lose 31:13 50:2,2 101:15
losing 57:8 124:8
loss 10:23 11:17 12:3,5 64:21,22 102:18 103:4 132:3 182:12,15
lost 50:1 54:15 65:13 105:23 147:10
lot 15:2,17,22 16:16 24:19 27:5,21 29:11 34:8,23 36:23 37:5 40:22 69:20 74:23 86:16 97:13,15 97:16 98:3 101:24 102:15 105:24 110:10 110:15,18,21,23 111:2 114:1 115:4,6 118:22 135:4 138:10,14 140:16 141:17 143:3 145:17 146:3,4,16,20 154:2,20 156:6 161:17 164:23 165:20 171:5,12 173:2,3 177:7 177:16 178:9
lots 13:23 16:9,23 17:1 18:2,4,13 20:9 21:17 40:13 84:24 85:3,6 105:21 115:7 129:13 160:19 164:7,13 166:1 177:19,20
loud 79:16

lovingly 63:3
low 21:4 23:11 39:19 41:3 50:5 67:13 70:17 167:1,3
lower 37:21,24 41:1 58:19,20 71:19 101:19 182:20
lowered 44:11
Lubland 83:15,16
luck 138:10
L&I 24:8,14 26:4 28:4 33:1,5,12 33:20 35:4 36:2 36:4 66:4 74:10 77:21 86:10,10 87:3 96:12,16 97:5,18 98:23 99:13,16 100:10 100:15 101:20 102:8,16 103:7 107:8 108:2,7 124:16 126:2 129:19,20 136:12,15 137:1 138:4,9,19 146:22 147:22 149:6,8 153:21 157:5 160:20,22 164:4 168:10 170:20 173:21 175:5 182:23 183:24

M

M 186:13
Mac 115:17
Madam 19:3 30:23 45:4 55:12 56:18,20 58:24 62:5 69:12 75:12 80:2 82:17 103:15 121:9 132:15 135:1 153:7 183:9
Mae 115:17
magnitude 12:13
Mahal 74:24
mail 118:23,23 137:7 164:20
mailed 157:3
mailing 164:19
main 57:4
maintain 15:3 20:1 38:5,15 46:21 49:3 50:13 113:5 148:17
maintained 19:16 21:18 22:5 36:20 50:14 60:7 63:3 149:21 150:22
maintaining 20:9 38:2 42:9 166:21 167:5
maintenance 19:9 60:1 69:23 70:6 86:19 95:11 106:18 109:8,11 109:15 136:4,9 148:19 151:2 164:3,14 166:3
maintenances 136:2
major 57:4 106:22 107:1 127:24 138:2 167:5 177:15 178:5
majority 105:10 109:16 113:10
making 7:9 24:20 88:13 92:10 148:15 179:14
malaise 102:1
man 103:6 143:19 179:23
manage 60:20
Manager 131:12
managing 23:9 28:21 143:22 146:23 150:18 161:17
Manayunk 76:14 130:19 168:17 169:4,14 170:5 182:4
Manayunk/Rox... 171:4
mandate 124:11
manner 97:21
manpower 163:16
margin 50:3
margins 70:17 91:12 92:9
Maria 1:12 183:23
MARIAN 1:16
MARK 1:16
market 13:2,10 13:16 18:4 19:10,13 20:12 20:15,18 60:8 132:5
markets 20:7 21:2,2
massive 47:12 48:2,6,22 50:12 65:17 66:12
massively 49:21
mater 8:19
matter 7:10 24:7 30:2 72:20 77:13 86:9 186:8
mattresses 94:2,9
mature 125:21
max 112:18
maximize 77:19 134:1
Mayfair 64:13 104:3 122:16
McCullough 14:3
McGeehan 122:14
mean 21:24 70:11 70:22 80:18 88:21 100:23 101:9,14 102:19 102:22 103:12 108:14 109:19 113:9 136:15 137:7,11 139:19 158:8 171:7,16 171:23 172:2,12 172:23 173:1
means 3:22 46:1,5 63:6 69:10 132:2 155:18 186:19
measure 21:16
measured 131:22
measures 21:19 21:21 151:15 160:12
measuring 12:13
mechanism 25:17 26:11 95:5
median 10:20 11:6,13,15 15:6 15:9
medical 139:24 140:2
meet 17:11 43:6 161:22 180:20
meeting 3:2 80:18 136:24 173:16 185:13
meetings 140:20 154:3 161:21
Meg 122:10 123:5
member 55:14 56:23 81:3 133:11 171:14
members 5:11,16 7:14,21 8:3,13 33:1 45:9,18 47:17 51:23 75:14 80:5 86:17 132:16 160:17 183:17 184:16
member's 48:12
memo 5:9
men 184:18
mentality 108:3
mention 51:21
mentioned 14:20 22:10 27:24 60:24 70:9 73:6 102:8 111:10 123:11 130:10 161:6
message 126:11
Messina 168:17 169:3,4 174:4 176:1,5
messing 43:23
met 10:12 60:6 89:13 119:18 139:17
metal 48:7
micro 53:22 54:8 70:16
microphone 137:24
middle 95:6 130:22
Mike 122:13,14
mile 15:17,22 16:4 127:20
miles 9:14,16
million 12:9 16:7 16:24 17:3,24 18:11 31:24 32:1 51:9 53:24 54:2,7,21 149:3 152:12
millions 49:13 92:10,11
mindset 154:18 154:23
mine 110:11,24 168:4
minimum 40:17 44:16 47:24 112:18,18
minor 19:8 49:20
minutes 59:1
misbehave 73:12 129:12

misbehavior 61:14
misdeeds 61:14
miserly 59:7
missed 84:5
missing 74:13 105:11 131:8
mistake 144:13
mistaken 74:12
Mitchell 168:22
mitigate 163:23
mitigating 164:1
mitigation 165:14 165:17
mixes 55:23
mobile 182:21
moderate 23:12 58:20 182:20
modified 133:23 134:2
modify 92:24
moment 138:8
Monday 153:14 153:18,20 167:19 172:9
money 13:6 29:21 30:10 32:4 33:21 34:9 36:23 46:19,24 47:4 48:11 49:14 51:12 52:23 53:24 54:15,17,22,24 55:3,24 56:14 57:8 66:10,14 74:15,22,22,24 75:1 84:16 92:7 92:17,19 99:8 109:18 116:2,9 116:14,19,22,23 117:10,11 163:16 179:9
monitoring 181:21
monoxide 126:4
month 85:14 90:12 93:19 97:12 115:14 119:8 120:19 130:4,4,4 167:4
months 3:18 5:5 38:22,24 39:1 40:2,10 54:15 61:20 100:18 101:15 112:24 136:24 144:11 158:5,6 163:11 164:22
morale 86:20 95:12,18 106:19
morning 2:2 8:13 19:4,5 23:6,7 45:4,5 64:4 80:10 98:10 129:23 132:13 136:3 143:1 170:11 172:6,15 175:18
morning's 131:18
mortgage 92:1
Moss 36:7 114:12 152:5
mothers 66:13
motion 65:11
move 4:4 6:17 12:14 33:4 70:21 91:23 108:22 116:13 117:11,16 145:21 167:22 168:15 184:11
moved 50:20 100:8
moves 39:8,13,13
moving 7:5 40:5 63:21 64:3 117:20 121:19 121:24 159:1 169:24 177:7
multifamily 35:2 35:11
multiple 69:17,24 93:18 133:24
multiply 74:14
Multiplying 12:3 16:1,21
multi-family 134:6
multi-story 134:4
multi-tenant 149:17
multi-unit 28:14
Municipal 82:2 95:4 113:23 119:19
murders 48:10
music 132:4
mutual 115:6,15

N

N 186:1
naive 99:18 101:22
name 8:16 23:8 26:23 45:6 52:4 64:15 67:13 73:6 82:20 83:12,13 87:18 98:14 103:23 104:8 123:5 131:11 132:18 132:20 139:10 140:24 143:21 144:23 147:12 166:9 169:1 176:8 178:19
nameless 76:1
names 104:19 127:7 151:12
nasty 67:3
natural 13:17
naturally 48:9
near 10:22 85:15 127:17
nearby 10:19 14:17 15:3 17:17 132:3
nearly 9:24 10:15 14:18
necessarily 97:24 161:2
necessary 73:12 160:8
need 22:1 25:1 28:14 34:13 35:23 40:7 47:15 53:11 63:7 68:10,12 69:1 72:13 73:16 74:18 75:1 77:7,9,18 78:4,6,9,15,17 78:18 93:9 97:15 120:15 127:18 130:13 131:1 136:21,22 137:6 138:19 140:7,21 143:5 146:6,16 176:24 177:9 178:11 180:11 181:23
needed 6:12,18 134:11 179:10
needs 6:8,16 32:13,14,22 57:12 59:10 60:6 72:6 127:6 137:23 162:2 170:17 178:5,7 178:20 181:11 184:14
neglect 33:23 108:11
neglected 3:11,12 3:13 27:13
neglectful 152:22
negligent 2:11 19:7 40:3 119:12
negotiation 105:19
negotiations 87:13
neighbor 96:19 97:2 142:3 158:8 175:9 182:11
neighborhood 3:14 10:12,18 12:1 14:6 19:18 19:20 20:6 36:22 43:22 54:19 59:11 63:1,7,19 65:3 66:19 67:6 95:18 103:4 123:16 124:19 126:12 127:11 127:14 128:1,16 130:9 131:14 135:8 145:9 160:10 167:11 168:17 169:5,24 174:17 175:15 182:4,8,20,21
neighborhoods 3:9,16 4:17 9:2 9:22 10:3 11:5,5 11:7,19,20,24 14:13,19,23 15:6 17:19 18:1 37:20 60:4 70:6 70:14 76:13 78:20 86:20 89:9 95:15 109:2 111:9 113:6 123:10 130:17,21,23 133:5,10 134:21 152:20 153:23 154:19 166:17 174:6
neighborhood's 106:19
neighbors 4:6 19:16 36:19 126:6,19 128:12 128:16 154:11 157:12 166:18 167:11 174:8 175:7 183:4
neighbor's 19:14 102:18 156:14
net 15:17 16:12
never 99:21

139:20
new 6:9 21:5,7 22:21 35:22 47:22 48:3 49:16 51:3,9,14 72:15 77:12 100:6 115:4 126:6 142:10 145:24 146:8,13 150:17 151:14
newer 177:17
news 20:22 65:12 92:6
newspapers 47:16
nice 38:1 51:4 55:8 76:10
nicest 81:12 97:21
night 171:19,22 172:7
nightmare 171:19
night's 172:10
nine 38:22,24 39:1 40:2 96:14 100:18 101:15
noise 19:19 135:19
nonpayment 108:4
nonresponsive 133:13
normal 165:17
normally 138:20
North 11:13 168:20 176:15 177:15 178:2,18 180:22
Northeast 3:7 131:14
Northwest 10:4
Notary 186:13
note 7:1,2,11 8:4 14:20 124:10 147:15
noted 7:8 119:7 161:1 186:6
notes 186:7
notice 52:10 64:11 72:23,24 144:5,9,15 163:24
notices 26:15 129:6 145:18 163:3 164:20
notifications 159:20,21
notified 84:8 119:3
notify 84:7 155:24
notifying 159:24 161:12
notion 146:15
notorious 73:7
nuisance 161:16 161:17 165:11
num 4:5
number 4:5 10:5 10:11 11:2,6,22 12:7,11 16:1 33:5 46:1,2 53:1 54:2,24 74:7,11 81:1,13,16 82:3 88:20 89:12,15 110:13,22 118:21 123:15 128:8,14 136:10 138:10 140:24 145:13 150:12 150:24 170:1 181:23
numbers 9:3 51:10 106:7 143:24 162:10
numerous 90:17 133:13

O

O 186:1
OACD 56:7
obey 46:8
objective 4:1
obligation 124:3
obtain 46:21
obtained 151:5 177:20
obviously 32:22 33:4 42:14 77:18,21 120:19 124:2 133:24 143:3 144:9 154:12 185:8
occasions 82:3
occupancies 149:17
occupied 9:18 17:14 24:1 25:3 25:23 52:12 85:1
occupy 41:19
occurred 10:15 14:12
October 150:16
odds 63:17
offer 2:23 55:14 124:15
offering 72:22
offhand 106:5
office 3:19 4:21 5:14 9:5 13:24 23:10 42:15 57:3 99:8 103:6 120:14 121:20 122:1 132:4 143:22 144:14 146:23 150:18 150:19 156:1 161:18 163:12 164:9,16,19 173:16 181:22
Officer 145:15,16
officers 145:13,16
official 14:15 142:23
officials 4:7 51:6
oftentimes 145:8
oh 1:15 7:12 23:5 36:15,17,18 37:12 38:22,24 39:3 41:10 50:6 63:23 71:6,7 75:7,8 88:8 113:9,10,13,22 114:3,8,11,16 115:21 116:4,13 116:17 117:15 117:18 118:5 119:3,11 120:5 121:2,5,9 138:5 139:19 148:7
OHCD 77:17
okay 8:8 32:12 36:18 41:10 67:7 80:15 86:2 86:15 88:24 89:4 98:21 104:9,15 105:1 105:7,14 106:15 107:2,5 113:13 113:22 114:11 114:16 115:21 117:15 118:5 121:2 122:5 135:24 137:21 139:2 140:11,17 141:4,11 142:7 147:22 148:7 153:6 155:9 159:8 161:6 162:6,13 165:16 166:5 167:16 169:3
old 3:15 56:10,10 61:1 134:17,18
older 141:22
once 29:23 85:19 100:2 107:24 116:2 149:23 150:2 157:2 164:8 179:15
onerous 60:18
ones 47:14 165:5
one's 60:19
ongoing 105:12 125:8 137:4 183:21
online 28:6 124:22
open 79:2,3 101:11 129:22
opening 2:23 78:22 151:19
openly 102:16
operate 24:23 25:19 60:16 78:6 150:2
operating 182:14
operation 111:19
operator 60:13
operators 57:7
opinion 183:14
opinions 120:10
opportune 56:12
opportunities 29:1 56:2 70:15
opportunity 8:14 33:20 55:11 80:3 88:5 93:1 113:2 123:6 131:3 133:3,12 152:23 169:9,11 176:11
option 118:9
order 32:10 43:9 60:15 103:10 115:1
ordinance 25:5,6 25:16 26:2,2,9 42:20 139:12 151:16
ordinances 42:23 43:11
organization 27:1 160:18
Organizations 78:7
original 81:22
ought 125:21,23 125:24 126:1 128:4,9 130:2
outline 4:2
outrageously 67:13
outset 123:13
outside 57:18 61:6 75:22 109:17 126:18

127:9 161:23 177:7
outstanding 28:3
overall 30:13 102:12
Overbrook 76:16
overcome 46:14
overcrowding 178:1,21 179:12
overdue 62:3 176:14
overgrown 133:16
overlook 33:17
overly 60:17 74:19
oversee 143:22
oversight 181:11
overwhelming 49:6,7
over-the-counter 177:16 179:22
owe 88:5 90:3 91:3,10 125:4
owed 88:3 116:9 116:14 117:10 117:10
owing 84:22
owned 13:8 29:12 75:22 83:15,17 105:4 124:1 150:21
owner 51:24 54:12 59:7 81:2 87:19 134:7 144:10 150:10 151:5 157:8 163:5 165:9 167:9 169:14
owners 6:2 16:4 20:8 31:10 46:15,17,24 47:3 51:4 52:1,5 52:24 55:1 59:16,22 60:10 61:5 67:24 74:21 76:2 86:24 107:6 123:24 127:8 134:1 141:14 144:3 145:7 146:7 149:4,23 150:23 151:10 151:13,18,23 152:22 159:4 161:3 163:20 165:3 170:1
ownership 56:1 73:14 76:20 111:19
owner-occupied 170:4
owning 25:2
owns 42:22 53:4,6
O'Brien 1:15 7:12
o'clock 94:8,8,16 143:18 175:18

P

packet 5:11,16
page 161:22
pages 153:10
paid 54:14 71:18 84:20 98:1 115:23 175:11
pair 51:7
pamphlet 140:7
panel 8:9 49:20 69:13,14 142:10 142:24 168:14
panelists 136:3
panels 130:7
papers 172:14
para 133:1
paramount 133:1
parcel 13:2
parcels 9:7,10 13:1,4,6,7 14:7 14:10 15:1 18:5
parents 129:5,6 139:18
Park 37:2
parked 127:18
parking 56:22 57:6,7 127:24 128:7 133:16 141:20,21
parks 14:8
parsing 100:1
part 7:22 12:20 39:12 41:15 56:15 68:13 76:16 78:4 79:9 91:7 92:13 108:11 122:21 150:17 170:20 175:14
participate 73:4
participated 49:10
particular 31:20 108:4 126:23 131:16,20 132:1 137:11 147:5 182:5
particularly 29:6 31:5 68:24 76:24 132:8 150:23
parties 175:16
partly 69:7 138:10
partner 83:14
partnering 161:11
partners 14:2 73:10 104:18
partnership 83:16 167:22 175:12
party 35:18,18 134:8 171:22
partying 126:9
pass 7:21 26:18
passed 25:24 49:9 151:16
patience 123:2 143:2 168:19
patient 5:1
patio 142:2
pattern 4:20
Paul 166:10,12
pay 38:9 40:21 44:15 46:8 48:17 50:8 58:10,16 66:3,3 67:2,21 71:23 81:15,18 84:4 95:3 114:4,5 124:6 148:17 152:21 165:11
paying 20:10 21:19 91:2,10 99:22 118:9 125:4 166:20 167:4
payment 84:12 105:15 116:4
payments 87:2 107:8
peace 126:13
peeve 57:4
penalties 116:1
penalty 34:1 71:23 117:4 163:19
pending 25:12
Penn 12:20
Pennsylvania 1:7 13:22 39:9
Pennsylvania's 8:21
people 3:4 8:9 22:5,12 28:6 33:9,21 34:2,8 37:20 41:5 43:18 49:1,2 50:7,10,17 51:16 52:2 54:24 55:2 59:2 63:6,10,22 65:2 66:10 67:7,11 67:18 68:4,18 69:3 71:1 72:12 73:1,4,16,24 74:5,15 75:5 77:20 78:12,15 79:3,5,11 89:13 92:4,23 93:1 98:3,20 99:3 108:19 110:18 110:20 124:13 124:18 125:3,22 126:7,13 128:1 135:4,22 137:16 139:8,22 140:8 145:3 154:20 155:1 156:19 177:7 178:15,17 178:24 179:12 179:21 180:16 180:19,23
people's 126:16 126:18 179:17 183:2
perceive 103:3
percent 9:11,17 10:20 11:8,15 13:3 14:18,21 15:4,20 17:10 17:13 18:3,6 37:15,17,19 41:6 48:1,3 74:5 74:7,9 75:4 82:4 97:3 101:6,19 123:19 137:9 149:9,10,13 150:7 152:11 182:7
perception 59:6
perceptively 50:6
perfect 173:2
performs 19:10
period 15:10 33:23 34:2 39:16,21,23 65:19 90:4 114:22,24
periodically 65:7
permanent 47:22
permission 126:2
permit 152:13 179:22
permits 134:2 177:16,22

permutations 135:19
persist 17:8 21:1
persistence 6:7
persistent 7:9
person 42:10 50:5 53:4 65:9 96:7 136:19 155:24 156:2 163:5,6,7
personal 45:20 62:24 104:8 151:23 182:7
personally 20:19 43:15 73:22 122:2 133:12 175:21
persons 125:14
person's 81:21 118:14
perspective 45:23 53:16,17 160:5 160:7
pet 57:4
PGW 53:3,7 84:6
PHA 43:14,21
Phil 23:2,18 26:18 26:23 34:16
Philadelphia 1:2 1:7 3:7 8:24 9:7 9:10,12,15 10:4 10:16,21 11:14 12:8 13:24 14:2 14:24 20:17,23 21:1,3,9,12 22:4 23:13 27:1 38:12 42:22 43:12 45:8 50:17 54:1 59:20 62:1 72:10 76:15 77:7 81:2,7 83:1 83:23 90:16 100:7 104:2 109:17,18 115:9 115:19 116:11 128:20,22 131:15 148:19 148:21 150:3,5 151:16 152:4,20 176:16 178:2 181:6 184:4
Philadelphians 3:20
Philadelphia's 9:17,23 15:20 17:11,13 60:23
Philavestors 105:3
Philly 168:20
phone 66:5 86:10 140:24
photograph 110:8
photos 119:22 143:8,9
PHS 18:7
Ph.D 8:11 102:13
picture 51:7
pictures 164:15 164:18
piece 74:23 108:16
pile 179:18,22
piloted 55:22
pittance 17:4
place 21:16,20 38:1,3 40:20 50:11 63:7 77:23 81:24 115:20 140:18 161:9
placed 60:8,13
places 36:24 37:23 41:4,7 60:7 77:12,13 154:6
plan 4:4 56:8,8 161:14 173:8
Planning 169:16
plans 161:8
planters 126:18
planting 16:18
plaster 81:10
plastic 49:18
play 41:15,23
player 78:2
players 77:21
Pleas 72:17
please 2:6 8:9 64:9 129:19 135:7,11 153:14 156:19 166:8 179:9
pleasure 72:5
plenty 99:16 101:1
plethora 78:13
plug 175:18
plummeted 46:18
plus 10:11
pocket 14:8
point 6:5 18:22 31:6 32:16 67:22 78:11 90:5 91:13 99:7 103:10 108:1 147:14 160:8 178:7
points 4:3
police 48:9 64:6,7 64:8 65:15 142:17 145:2 153:17 159:24 161:2 172:1 175:4
policeman 64:15
policies 6:12
policing 160:4 174:16
policy 12:14 161:14
polished 123:7
ponder 68:1
pool 180:16
poor 37:20 40:24 76:6 78:20
poorly 36:20
population 37:16 37:18 50:15,21 79:9
porch 63:24
portion 116:23
posing 96:2
position 8:17 63:14 91:21 142:23
positioning 13:11
positive 12:17
positively 15:24
possession 39:23 39:23 64:2 65:6
possibility 35:17
possible 4:4 59:21 77:20 143:13 147:20 153:17 153:20 167:20
possibly 39:7
post 16:19 170:8
post-graduate 170:9
post-recession 75:21
potential 13:19 18:4
potentially 45:23 151:23
poverty 37:16
Powelton 7:20 174:8
power 13:10 146:4,6,8
powers 146:9
practical 12:24 24:7 37:14
practically 173:4
practices 77:10 145:24 172:19
praising 119:24
predecessor 27:9
predicts 12:7
prefer 92:23
preliminary 13:20 14:15
premium 15:4
premiums 64:23
prepared 80:18 145:1
presence 10:17 14:16 17:16
present 1:11 79:22
preservation 35:21 36:1 55:21 56:9
preserve 109:1 130:16
President 8:12,18 132:21
President's 173:16
press 140:21
presumably 13:4
pretty 74:4 112:6 162:4
prevailing 61:1
prevalent 168:3
prevent 35:15
prevention 92:1
previous 69:14 95:10 146:15
previously 14:20
price 10:21 11:13 11:16 15:4,9,18 21:14 40:18 41:2 67:13 152:21
prices 10:9 21:7 22:20 132:5
primarily 14:22 161:16
prime 185:8
Principal 104:23
printed 175:3
prior 26:3 43:4 149:8
prioritizing 155:6
private 29:4 42:21 51:5 56:1 94:14 95:1 150:23
privately 150:20
privilege 53:18 72:14
pro 114:8 118:8
proactive 36:1 175:22

proactively 149:17 160:16
probably 36:24 78:14 123:18 124:6 136:9 166:3
problem 2:12 3:23,24 4:5,20 6:6 7:3 8:23 9:12 10:1,5,13 10:18,22 11:4,6 11:10,21,22 12:12,14,15,18 17:7,12,16 19:23 20:4,5 23:23 24:14 25:4 27:11,20 29:20 47:18 54:13,17 68:19 69:18 77:3 78:16 80:24 90:15 96:19 98:19 118:9,16 128:2 131:17,19 132:6,11 137:13 143:20 156:11 167:6,8 170:8,9 176:23 177:2,8 177:24 179:6 180:7 182:13
problematic 45:23 47:10
problems 3:11,21 4:2 6:7,10,19 23:12,23 26:21 35:4 43:7 54:4 57:4 58:18 73:9 90:17 92:11 100:20,21 102:20 115:4 118:11 120:23 121:24 123:12 123:17 125:7 127:13 141:6 145:8 147:1 160:19,21 172:3 174:11 177:12 177:15 182:22 184:9
procedure 39:11
procedures 6:12 40:14
proceed 23:1 98:13,15 122:2 123:3 142:24 169:1 176:7
proceeding 95:24
proceedings 186:5
process 13:13 29:11 30:12 32:5 34:18 38:20 39:9 40:4 58:4,13 78:24 98:2 99:15 108:6 113:17 114:18 150:10 158:21,23 159:3 163:22
processed 39:6 71:20
processes 146:12
production 2:16
professional 172:5
Professor 14:4 122:19
profit 20:11,13 91:11 92:9 117:13 134:1
profitable 91:1
profiting 91:14,22 117:6
program 13:23 14:22 15:14,24 17:2,5 18:7 26:8 29:16 84:6 92:2 119:20 141:8 143:23 146:21 149:16,22 150:18,22 164:2 166:2 177:1 180:24
programs 27:3 41:3 167:1 179:16
prohibitive 121:1
prominent 62:7 89:11
promise 174:15
promotion 144:21
promptly 127:12
proof 6:8
proper 24:10 57:13 59:24 135:14
properly 19:15 24:3 43:21 51:18 54:6 60:7 149:20
properties 2:12 3:23,24 8:23,24 9:11,13,15,20 10:1,6,8,12,14 10:22 11:4,6,10 11:22,23 12:12 17:7,12,15,19 19:7,8,23 20:5 22:6 24:23 25:2 25:3,8,22 27:12 28:24 30:16 31:5,11 35:3 36:20 37:3,11 38:6,16 42:23 43:5 46:19,22 49:3 50:20,23 51:13,14,16 52:4 54:6,8 58:6 60:2,5 63:1,3 68:5,17 73:2 74:4,6,7 75:21 76:2 77:8 80:24 81:1,3,5,6,8,11 81:12 82:8 83:3 83:15,18,22,23 84:17,17,19,19 84:24,24 87:9 87:11,13,17,18 87:22 88:1,21 88:23 89:8 90:12 91:8 93:6 93:8,10 97:13 97:14,17,22 99:3,12 101:20 102:3,5 104:4,7 105:5,9,16,21 109:12 110:8 113:5 115:7,9 115:19 118:21 119:22,23 123:14,19 124:1 124:7,12,17 125:4 126:3 127:5,8 131:19 132:7,11 133:14 134:12 136:14 137:3 141:10 143:9 144:4,6,7 144:8 145:5 148:16 151:1,2 151:13 152:8 154:9 156:12 160:3 161:4 162:12,15,18,20 163:15,17,18 164:4,7,12 166:17 170:5,13 170:21 171:8 172:24 177:13 178:1,6,10
property 3:11,13 4:20 6:2 9:6,19 10:18 12:10 14:6,16 16:8 17:16,23 18:12 18:16 19:9,15 19:18 20:4,8 21:18 24:1,1,9 24:20 26:4,5,12 28:8,14 30:7,8 31:10 35:5,5 38:10 43:8 46:14,17 47:3 48:7,17 50:5,24 51:5,23 52:1,5 52:11,24 54:11 54:12,12,18 55:1,7 59:16,22 60:10,12,20 61:4,19,21,22 62:20 63:14 64:2 65:2,18 67:4 69:19,23 70:5 72:19 73:14 74:21 76:20,23 84:12 85:10,12,15 86:19,21,24 88:21 89:9,15 89:17,21 90:8 90:15 91:22 93:24 94:7 95:10,12,17 96:4,20 100:6 104:16 105:24 106:3,18,20,23 107:3,6 110:10 114:12,19 115:16 116:14 116:20 117:2,19 117:22 118:11 123:24,24 127:6 128:13 131:17 131:21 132:1 133:3 134:5 136:2,3,9 137:12,17 140:5 141:14 144:3,10 148:19 150:21 151:6,24 157:8 157:9,12 163:5 163:19 164:3,13 165:4,6,9,9,12 165:18 166:2,3 166:22 167:5,9 169:13 170:1 177:6 179:13 182:22
property-type 145:18
prostitution 63:11 133:19
protect 40:14 108:12,12,20 109:1 113:5

protected 30:9
protecting 74:18
proud 76:8
provide 27:2,3,4 27:18 38:16 41:18 46:11 60:14 63:5,16 71:12 128:6 132:24 137:2 138:18 148:13 152:23 167:18 169:15
provided 11:12
provides 27:2 39:14
providing 4:14 8:9 41:24
Provision 139:13
provisions 130:2
public 1:4 2:5,10 28:9 134:13 135:19 168:10 172:16 173:19 173:21 183:24 186:13
publicize 26:14
publicized 26:9
publicly 167:24
pull 165:1
pulled 112:15 175:18
pulse 169:22
punishment 73:19
purchase 97:13 114:22 115:1 118:18
purchases 117:18
purchasing 115:19
purpose 3:2 63:12
pursue 184:23
pursued 34:21
pushes 128:15
pushing 65:11
put 8:1 21:16,20 24:21 26:14 38:14 41:8 43:20 45:15 47:20 52:9 55:19,24 64:7 65:6 66:23 81:9 97:6 99:10,14 108:16 135:16 140:6 141:9 143:5,7,17 162:2 170:24 172:14 173:18 183:3
puts 40:1
putting 18:20 28:6 31:2 72:23 72:23 108:13
p.m 185:13
P.O 76:1

Q

qualifies 167:3
quality 4:16 43:3 43:6 61:24 66:2 77:7 78:10 111:8 135:9 145:10,19 153:22 161:10 166:13 167:10 168:2 169:18,22 171:17 174:21 177:4 183:3
quarter 15:16,22 16:4
question 13:17 31:1 36:15 38:4 41:13,15 75:7 95:10 106:16 123:22 124:4,4 127:2 135:6 141:11 155:9,10 162:7
questioned 120:1
questionnaire 169:20
questions 4:14 18:18 19:1 22:17,19 30:21 62:13 69:13 80:4 82:8,16,23 86:16 89:3 98:6 103:21 113:3,7 113:15 134:24 135:2 142:8,20 142:21 143:16 147:16,17,23 148:8 153:1,10 153:12,18 155:11,14 159:9 159:10,19 166:6 168:6
quick 31:1 39:16 62:12,15 80:4 112:3 141:20 159:18 171:6
quickly 4:13 11:2 39:8,12,14 40:6 82:24 133:22 134:16 142:13 143:13,14 172:14 177:3
quiet 126:13 140:2
Quinones-Sanc... 1:12 167:21 183:23
quite 18:13 32:18 47:10 81:1 123:7 146:1 162:5 173:5
quote 87:4 107:10
quoted 74:12
quote/unquote 42:11

R

R 186:1
radar 52:3
rail 16:19
rain 85:14
raining 112:4
rains 112:1
raise 50:10,11
raised 150:3
Ramsey 144:24
ran 119:18
randomly 9:21
range 165:24
rarely 134:2
rate 48:18 60:8 65:23 150:7 165:13 180:22
rates 48:21 61:3
Ray 118:20
Raymond 79:23 98:9,16 103:24
reach 50:9 127:2 137:6 141:6,10
reached 141:1 174:5
reaching 160:23
reaction 71:7
read 2:6 8:9 59:5 132:17 148:4
ready 100:7 147:16
real 17:11 28:22 29:14,20 31:1 33:3 34:1 44:21 46:18,20 48:8 60:23 66:12 74:15,15,23 79:16 99:10 108:16 109:15 109:16 132:3 139:7,15,21 141:20
realistic 32:24
realize 170:6
really 21:9 23:21 26:20 27:8,18 28:1,14 29:13 29:24 30:10,12 30:16 33:20,21 33:22 34:21 56:5 57:15 65:16 72:4,20 76:22 92:6 106:6 124:11 130:5 135:17 139:21 146:6,9 161:15 163:14 166:24 170:11 170:16,20 171:3 171:3,14 173:7 173:9 174:23 175:1,11 176:10 176:13 177:2,4 177:9 179:4,7 180:9
reason 68:14 100:13 183:20
reasonable 61:9
reasons 75:13 87:8 99:14 107:18 118:12
receipt 118:24 119:4
receipts 95:1
receive 32:20 81:14 86:2,7 93:18 106:8 107:16 112:24 168:13
received 7:19 85:11 106:4 112:9,14,21 144:4
receivership 29:11,16 34:17 34:18 35:17
receiving 31:16
recess 5:23
recession 66:10
recidivists 37:23
recipient 156:24
recipients 72:9
recognition 62:2
recognize 59:20 71:6 72:7 74:1 82:15 173:21 182:2
recognized 73:11 129:15
recognizes 7:16
recognizing 45:21 73:13
recommend 119:15

recommendation 145:23
recommendatio... 4:15
reconvenes 6:15
record 4:2 5:1 7:11,23 8:2 18:24 45:13 68:8 82:20 87:24 98:14,17 100:16,23 101:5 101:8,14 103:9 103:23 108:24 109:21 122:12 122:22 127:5 168:9 169:2 173:18
recorded 26:5,13
records 43:18 127:3
recovery 20:21 165:14
red 51:7
redevelopment 12:21 13:12
redoing 119:21
redone 119:23
reduce 17:17,23 125:2 128:8,11
reduces 10:19
reduction 17:20 17:22 93:11
reenergized 161:18
refer 62:17
reference 110:22 151:11
references 53:2
referencing 76:19 139:9
referred 139:24
refuse 7:7 81:17
regard 128:23 132:19
regarding 23:16 42:6 49:9 80:23 138:3 150:19,20 176:11 179:8
regards 143:24 164:5
register 123:23 124:3,5
registered 123:20 124:2,12,21,24 142:11
registering 170:21
registry 127:7
regression 10:9 10:17
regrettably 146:24
regular 134:7 161:21
regularly 126:21
regulated 126:1
regulation 74:19
regulations 49:19 60:18,23
rehab 178:1,3 179:2
rehabbing 178:20
rehash 176:20
reinspect 158:18 165:2
reinspected 101:9
reinspection 103:8 157:17 158:22
reinspections 100:21
rejuvenating 7:5
relates 31:13 176:12,24 177:11 181:1
relation 45:11
relationship 37:7
relatively 11:21 22:11 39:15
relocate 131:24
relying 47:6
remain 64:15
remarks 62:16 139:1 183:8
remedial 160:12
remediate 160:21
remedies 40:8
remedy 81:18,24 165:18
remember 62:22
remind 109:21
removal 61:8,15
remove 38:12,17
renew 25:11
renewed 25:14 84:7,9
renovate 21:12 81:8 88:23
renovating 84:18
rent 26:1 31:11 37:4,24 38:9 40:12,13 50:3,4 50:10,11 52:3 54:14 58:16 61:20 66:13,22 67:2 72:18 76:5 88:15 96:5,13 100:7 101:15 108:5 118:7,10 118:23 125:23
rentable 66:2
rental 2:12 23:17 27:3 28:10 51:5 52:11,19 55:24 56:1 60:9 65:1 68:12 69:1,20 74:6 76:23 77:8 83:24 96:20 101:11,21 123:19,24 124:16 127:4,6 127:8 133:14 137:2 148:16,22 148:24 169:23 170:13 172:24 177:12 182:12 182:14,22
rentals 67:23 79:23 104:21 123:16 124:20 125:24 128:8,10 128:14 182:8
rented 43:5 83:18 105:5
renter 21:13
renters 129:16 134:14
renting 128:5
rents 21:6 27:14 29:18,18 35:19 36:24 37:21 66:8 132:5
repair 23:17,24 30:4,6 49:20 54:10 97:15 106:14 115:1 119:9,13 152:10
repaired 54:7 106:13 119:5
repairing 118:10
repairs 24:12,20 25:23 27:15 29:18,22 32:7,9 33:23,24 34:1 35:19 37:4 43:9 48:23 85:19 109:15 118:7,19
repeat 61:23 162:16,22
repeated 97:11
replete 25:9
report 48:19 124:24 148:22 149:14
reported 44:8
reporter 186:21
reporting 124:7
reports 82:11
represent 49:2 79:9 83:9 104:13 169:4
representation 45:22
representative 95:21 122:14,15 122:15 151:21
representatives 122:8 123:1
represented 23:11
representing 78:9 169:5
represents 71:1
reprieve 42:15
reproduction 186:19
reps 172:18
reputation 38:11
request 55:12 153:19 156:5 163:12
requested 5:14
requests 149:11 167:17
require 34:22 43:8 49:17 61:7 77:4,5 126:1 129:6,9,11,16
required 120:20 138:12
requirement 26:16 32:8 128:5,9
requirements 38:15
requires 25:7 26:3 56:11 147:18
res 61:13
research 8:20,21 12:16,24 17:10 110:12 172:19
researchers 151:11
resident 169:13 171:10
residential 4:16 95:15 130:22 166:2 170:5
residents 60:6 134:14
resolution 1:19 2:6,7,8 101:18 148:13 152:24 169:12 176:10

177:12
resolve 105:13 181:16
resolved 26:7 98:1
resources 32:18 33:4,12,16 124:15 134:13 141:9 162:3 182:23
respects 75:19
respond 137:9 155:20 157:1,8
responded 86:13
response 22:19 28:22 44:15 155:23 159:11 161:12
responsibilities 44:17 170:14,19 175:7
responsibility 33:2 109:1 116:7 170:16,23 171:1,15
responsible 29:13 35:18 59:17 61:13,24 66:7 69:7 99:20 102:23 150:24 153:24 154:15 160:15,23 175:9 184:6,7
responsive 59:17 61:24
rest 142:21 143:17 159:10 168:8
restaurant 132:3
restrictions 60:19
result 11:12 12:9 34:7 48:18 182:10
results 10:17 13:9 13:21
retain 8:19
rethink 77:18
return 18:12 21:3 21:8,13 22:8,13 60:11 66:15
reuse 93:10
reveals 6:11,15
revenue 12:8 16:8 17:24 31:13 52:14 124:13 142:16 147:4,7 147:10,13 149:3 150:4 152:7 159:12 166:7,11
revenues 18:12,16
revert 69:6
review 103:7
reviewed 56:7
revisit 144:15
revolving 29:23
rewarding 59:19
rewriting 69:21
re-rented 35:12 35:14
ribbon 51:8
rich 59:19 76:6
rid 91:15 103:11
right 2:21 20:14 23:5 29:4 31:12 34:6 37:9 39:19 40:11 41:17,24 60:11 68:3 70:21 71:2 72:18 82:23 95:7 100:9 106:23 107:3 108:8 110:15 111:20 115:7 118:5 127:17 129:11 135:17 136:11,21 138:22 142:3 144:18 151:10 157:20 159:2 166:5 170:3 177:10 179:24 180:11
Rigorous 134:15
ripped 64:20
96:23 97:3
rise 60:3
rising 20:12
risk 108:13 118:14
riveting 76:11
RLs 105:23
road 89:23 118:2
Robert 45:10 58:24
Robinson 168:20 176:7,8,9
rock 77:22 134:8
rodents 133:17
role 41:15,23 153:21,21
roof 54:13
roofs 171:22
rooftop 171:23,23
room 1:7 67:9 172:13
rooming 67:16,17 69:2 179:14
rooms 66:23
round 54:3
row 126:7 127:24
Roxborough 76:14 130:18 137:12
Roxborough/M... 169:7
RPR 186:13
ruins 54:19
rule 2:18 115:9
rules 60:18 115:20,22 140:18
run 46:19 82:1,23 89:22 97:18 140:5 166:4
runs 90:9
rushing 179:21
rusted 57:19
R2 149:16

S

safe 40:20 60:8
63:7 70:5 154:10
safety 1:4 2:5,10 57:15 61:16 62:24 168:11 173:19,21 180:14 184:1
sake 79:20
salaries 40:12
salary 76:6
sale 89:22 90:4,5 90:10 115:24 116:1,2,20,22 117:24 152:8,10
sales 10:15 14:12 131:24 132:5
Sanchez 8:6,7 18:19 22:17 23:1,7 30:20 34:13,16 35:20 36:14,16 41:11 44:5,23 45:5,12 55:16 56:19 62:11 68:7 71:5 75:6,11 77:3 79:8,19 80:6,9 80:12,15 82:13 83:6 87:23 88:9 88:12,24 89:4 89:20 90:18 91:16,24 93:7 98:7,11 103:13 113:8,12 121:10 122:7 130:6 131:5 132:14,18 133:7 134:23 136:6 137:23 142:9 144:17,20 147:3,8,22 148:2,6,10 153:2 168:5 173:14 175:13 176:3,6 181:19 182:17 183:6 184:18
sanctioned 137:18
Sanitation 145:16
sat 52:13
satisfy 117:19,23
Saturday 85:17
save 54:8 67:20 113:22 114:1
saves 13:5
savings 76:5
saw 141:24
saying 28:21 67:12 71:11 88:11,19 90:13 99:8 102:13 111:5 113:16
says 31:21 47:5 48:12 101:19 108:19 110:16 114:13,14
scammed 68:18
scenario 157:11
scene 160:9
school 14:5 40:22 127:16
Schoolhouse 127:20
scissors 51:7
scope 4:2
Scott 142:14 148:1,4,7,11 154:1,17 155:8 155:16 156:3 157:2,14,21,24 158:13 159:7
screen 54:5
se 114:8
searches 139:7
second 31:5 62:19 151:14 159:14
seconds 59:4
secret 46:19 47:2 47:11
Section 2:17 41:15,19,22 42:6,19,20 43:1 43:4,12,15,17 43:18,22 44:10 44:13

security 40:9,11
see 3:15,20 4:3 24:12 27:4 49:21 51:6 53:4 53:17 60:11 63:23 67:2 75:22 92:23 107:4 120:17 124:13 145:5 146:23 153:23 154:14 156:12 156:14 157:6,13 158:7 165:24 171:20 177:6 180:14
seed 16:18
seeing 135:9
seek 49:5
seeks 149:22
seen 31:19 35:10 52:9 75:20 92:6 141:18
self-interested 59:8
sell 67:12 84:17 84:18,18 90:6 102:6,7 103:9 108:21 115:17
selling 13:13
Senator 122:13
send 52:9 119:4 136:18 139:11 144:9 150:11 152:7 155:22 163:14 164:10 165:6,20
sending 165:22
senior 138:8 141:18
sense 55:14 77:2
sensor 65:11
sent 150:12
separate 104:16 125:24
SEPTA 127:17
September 137:1
serial 67:3
series 80:4 82:22 147:23
serious 23:16 27:20 133:18 173:8 175:22 180:10 184:20 185:2
seriously 145:12
serve 114:6 131:13
served 5:13
service 5:8 26:24 27:18 41:17,24 42:2 59:24 60:14 63:16 111:22 140:17 149:11,15 155:12,17
services 23:10 71:17 95:21 111:23 119:19 145:9 149:6 166:11
serving 53:20
set 56:3 61:6,9 106:13 116:19 172:18
seven 94:8,12,14
severely 60:19
sewer 100:10
sewing 16:18
shape 57:17
share 178:3,11
shares 148:15
sheaving 49:18
sheet 134:8
sheeting 49:18
shell 64:5 65:23 65:24
sheriff 152:8
shift 33:4,16 47:19
shifting 152:20
shoddy 33:24
short 56:24 135:3 144:16 166:1
shortcomings 141:13
shorten 158:11,24
shortened 158:12 158:23
shoulders 47:20
shovel 171:1
shoveling 112:10 112:15,22
show 47:3 109:22 139:10 143:6
showed 182:6
showing 98:17
shown 143:8
shows 98:12 121:12 129:19 162:14
shut 35:6,11
sick 40:20
side 33:5,9 36:1 38:6 71:14 78:8
sides 42:4 143:4
sidewalk 93:23 94:13
sidewalks 112:10 112:22
sign 44:14 168:16
signal 78:16
signals 19:16
signed 49:10 143:1
significant 15:11 17:8 31:4 50:15 61:10
significantly 9:9
signs 170:18
similar 15:5
simple 46:7,9 52:7
simpler 101:24 102:15
simply 61:2
single 10:18 17:16 92:22 130:14,16 136:4 179:13
sir 22:22 159:17
sit 65:4 89:19,21 90:8,13 91:9,18 95:6
sitting 20:9 63:24 102:3 178:18
situation 57:11 68:10,24 88:19 90:23 93:2 100:1 101:16 171:4 172:22 174:9 176:12
situations 27:5 35:10 101:1 121:24
six 38:22,24 39:1 54:15 73:11 112:9 118:2 158:6
Sixth 83:8 85:3,22 86:24 87:2 104:11 106:4
size 10:10
sized 13:4
skin 63:15
skyrocketing 66:11
slavery 179:18
sleep 171:19 172:7,10
slight 76:16
slim 167:6
slow 20:21 152:19
slowly 152:20
small 3:11,22 54:16 59:15 66:14 70:12,16 73:14,15,16,23 74:2,11 76:15 132:8 172:23
smarter 55:21 56:14
Smith 53:5
smoke 57:14 126:4
snow 112:15,15
snowfall 112:19
social 42:11
socially 59:17
Society 16:15
Society's 13:22 15:13
socioeconomic 36:21
sold 150:21
sole 103:6
solely 59:8
solution 29:14 52:7,22 53:13 53:21,23 56:16 77:4,16 121:13
solutions 6:10 37:14 53:18 133:4
solve 54:17 79:15 90:17
somebody 39:7 48:14 57:11,17 58:8 65:10 99:6 101:10 103:17 108:17 111:18 117:12 124:24 137:10 141:21 141:21 142:1 169:9
someone's 93:13
soon 60:2 86:7 87:18 147:19 177:4 181:17
sorry 2:2 36:16 113:12 138:5 144:20 146:7 152:16 158:15
sort 21:17 25:21 171:9
sounds 128:7
source 141:13
South 10:4 100:6 180:23 181:4
So,it's 41:1
so-called 178:3,20
space 13:24 14:9 15:3 16:13 49:17 52:17
spans 75:18
speak 45:8 58:22 80:7 118:20

166:24 169:13 176:11,15 180:17
speaker 175:19
speaking 37:9 56:22 96:7 136:1
Spear 45:3,10 46:6 51:21 55:13 56:17,20
special 129:15 144:23
specific 4:15 9:22 82:7 107:7 115:9 161:8 166:19
specifically 31:9 125:22 160:15 166:24 181:3
specify 87:1
spectrum 75:18 76:8,12
speculation 21:17
speed 127:21
speeded 39:10 58:14
spend 174:20
spending 77:19
spent 18:14 51:9 109:14
spillover 19:12
spiral 68:23
spite 78:5
spoke 43:14
spoken 89:7
sponsor 90:21 185:9
sponsored 151:20
sponsoring 133:7
spring 12:19
springs 94:3,9
square 9:14,16 16:20,22,22,24 16:24
Squilla 1:16 18:24 146:19
Stack 122:13
stacked 63:17
staff 24:14 33:1 120:24 148:11
staffers 33:6
stakeholder 56:4
stakeholders 4:6
Stan 122:9 132:14 136:7 137:21 140:14
stand 73:3 74:18
standard 148:18
standards 40:17 43:3,6,24 67:10
standing 48:12
standpoint 41:16 42:3,13 98:22
Stanley 132:20
start 3:2,11,21 71:8 89:24 103:22 118:1 135:10 152:19
started 87:15 158:14
starting 5:3 19:2
stat 147:10
state 34:13 40:9 51:1 53:20 82:19 97:13 103:22 109:20 122:13,13,14,15 127:10 140:12 151:20,21 166:9 169:1
stated 82:10 84:15 109:21
statement 2:24 6:22 7:15 69:14 78:22 87:6 107:11 109:5 132:16 142:20 167:14
states 102:19 129:14 178:16
stating 108:24 144:13
station 127:17
statistically 149:18
statistics 74:4
stay 37:24 67:22 93:1 96:17 147:10
staying 130:3 183:5
steal 67:19
stealing 64:13,16 78:13
stenographer 122:23
stenographic 186:7
step 3:24
steps 5:10 126:17 159:23 174:2
stereotype 43:19
sterling 37:3 67:5
stick 21:24 72:9,9 73:18,18
sticks 72:20
stock 12:2 15:21 17:11 18:9 22:14
stole 48:14,16 85:14
stop 48:24 54:17 65:16,17 89:18 97:9,24 98:4 99:13,15 108:5 110:2,19 111:1 111:1,16,16 120:16 138:16
stopgap 77:16
stopped 46:22
store 73:16 132:4
storefront 141:7
stories 177:23 178:6
story 59:14 100:5
straight 112:1
stranger 108:13
strategic 133:4
strategies 161:8
strategy 56:9 93:9 161:13
street 35:9 40:1 48:14 54:19 63:22 67:8 93:24 94:3,5 95:14 97:11 102:9,10 114:13 126:15 127:19 128:6 179:24
streets 87:3 107:9 123:15 165:22
stress 14:14
stressing 61:22
strike 63:21
strikes 182:12
strong 125:11
structural 20:16 20:24 22:9
structure 9:9
structures 60:24 133:23 149:19 150:12 151:4 152:11
struggling 62:8
stuck 91:20 100:2 116:17
student 76:17 123:18 125:7,18 128:8,10,14,23 129:5 135:18 140:1 170:8,9 177:17 179:20
students 125:19 125:23 126:7,8 126:23 127:13 127:15 128:6,21 129:7,10,12,21 136:20 139:18 140:2 170:7 171:6 172:22,24 175:24 176:24 179:23
studied 146:1,14
studio 132:4
study 13:21 14:5 15:10 181:6,7
stuff 40:24 103:11 164:6 181:21
subject 27:6 170:10
submit 4:10 8:1 142:21 153:12 155:11 167:17 168:7
submitted 131:16 153:19 172:13 172:17 173:6
submitting 122:21 159:9
subpoena 5:20
subpoenaed 5:6 184:21
subpoenas 2:15 4:22
subsidies 43:10
subsidize 32:4 91:11 93:4
subsidy 27:3
substandard 28:24
substantial 57:8
substantially 39:10 58:8
substantive 146:5
succeed 63:15
success 36:8 184:5
successful 130:22
sudden 48:2 54:13
suffer 10:23 31:7
suffered 34:2
suffering 48:6 49:24 50:12 176:23
sufficient 49:14
suggest 13:9
suggested 27:21 52:6 53:21
suggesting 12:17
suggestions 120:7 121:23
suggests 10:21
suitability 26:2 69:21

suits 49:17
sum 92:15
summarize 4:13 55:17 62:16 130:7 131:8,15
summary 17:6
summer 144:11 163:10 164:22 173:24
supervision 186:21
support 11:12 30:14 55:24 136:22 152:18 175:4 178:11
supportive 145:22
supposed 43:4 94:20
Supreme 129:14
sure 7:9 28:1 31:19 32:6 34:20 36:2,10 43:6 44:3,12,20 49:2 52:7 54:2 57:16 67:1 71:2 73:1 74:13 86:1 97:4 101:1,22 102:14 108:9 119:17 121:3,4 126:4 148:15 149:20 155:16 158:24 161:19 161:21 162:1 168:11 170:23 176:5 181:21
surprised 80:20
surrounding 2:13 177:13
survey 123:14 164:11 169:17
Susan 14:4
Susie 53:6
suspect 100:13 130:18
sympathy 125:12
synergy 161:24
system 61:18 72:15 74:16 100:2 149:11 164:17,18,19
systematically 19:22 20:2
systems 56:6

T

T 186:1,1
table 45:15 159:15 183:16
Tacony 131:12,14
tag 148:1
Taj 74:24
take 7:6 8:1 18:18 29:17 40:5 42:9 62:23 64:1 65:24 69:5 70:14 74:6 76:24 78:24 79:4,10 81:22 85:18 86:3 87:13,17 90:5,6 90:14 100:22 102:21 103:1 106:9 111:23 114:2,4 116:18 117:24 118:22 119:12,15 120:5 121:2 132:10 134:9 138:11 147:14,16 153:1 157:10 158:5 159:24 160:8 165:7 168:23 169:22 175:21
taken 84:10 101:7 160:12 186:7
takes 24:9 40:1 157:12
talk 23:20 31:9 35:21,24 57:23 62:21 63:9 114:11 133:22 174:9 180:16
talked 28:4 29:10 56:8 65:18 119:20
talking 27:7 40:17,19 63:13 73:24 80:21 92:13 93:8 156:13 170:10
talks 177:12
targeted 162:2
targeting 162:1
Tasco 1:16 2:20
task 70:1 119:16 161:16
tax 4:21 12:6 16:8 17:23 18:12,16 22:2,11 47:12 47:13,21,23 48:1 52:9,10,18 60:24 72:24 84:11 89:22 90:9 101:20 102:9 105:15,17 117:24 134:20 152:7 153:16 166:13,16 167:9
taxation 12:6 16:5
taxes 20:10 21:18 21:19 46:8 60:18 66:3,12 67:21 84:15,22 89:15 90:3 117:3 125:2 148:17 166:21
taxpayers 91:11 93:4 166:11
Taylor 122:15 151:21
team 12:19 78:2,3 148:1 151:11 161:19 162:4
tell 26:12,15 28:12 46:6 58:11 59:13 63:22 89:18 124:23 139:12 139:14 141:18 156:19 173:2 174:20 180:17
telling 112:8 180:2
Temple 122:19 128:20 175:14 175:24
temporaries 47:22
ten 9:24 10:4,16 51:12 55:8,9 96:15,15 118:2 120:18 142:2 143:18
tenant 6:16 24:7 27:9 38:19 39:15 40:1,21 43:22 44:10,18 52:11 53:6,7,11 54:14 60:20 61:19 63:21 64:3 72:10,12 72:17 80:24 86:19 94:1 95:11 96:1,3,14 96:17 99:15,24 100:6 101:2 106:14,18 107:24 108:1,8 110:17 118:8,9 118:18 129:17 141:12,17 171:16
tenants 6:3 23:12 26:20 27:2,5,18 28:23 29:1,4,15 30:16,17 34:6 35:8,16 36:23 37:2 38:8,9,9,13 38:14,17,19 41:3,8,18 42:1,5 42:7 43:5,17,18 46:14 49:22,24 53:16 58:5,15 59:11 60:5 61:14 64:11 66:16,16,24 71:15 72:1 75:5 76:3 78:9 96:2 99:16,20 102:23 107:20 110:19 118:22 130:23 142:6 145:6 154:12 159:22 170:15,16,23 171:7
tend 60:4 133:20 140:16
tens 49:13 66:1
ten-day 39:21
term 68:12 77:16
terms 36:18 37:10 40:4 41:17,23 114:18 129:3,9 171:17
testified 40:6
testify 4:18,19 5:15 7:8 8:22 53:14,14 58:13 123:7 131:3 176:9 181:20
testifying 53:18 62:6 79:20
testimony 4:11,13 8:10 22:23 31:21 45:13 76:10 78:5 80:10,13 122:12 122:21 132:24 142:18 143:10 143:14 144:12 145:1 148:5,13 152:24 168:23 176:21
text 62:17
thank 2:19 3:1 6:20,23 7:17 8:14 18:17,19 19:3 22:16,22 22:24 26:22 30:20,23 31:2 34:12 36:13,14 41:10,11 44:4,7 44:22,22,23,23 55:16 56:17,20

58:21 62:4,14 68:6,7 69:12 71:3,4 75:6,8,10 75:12 79:17,18 79:19 80:2 82:13,17,18 89:3 93:17 98:7 98:7 103:13,15 103:16 113:8 120:6 121:7,8,9 121:10,11,17 122:4,6,7 123:1 131:4,5,10 132:12,14,22 133:6 134:22,23 135:1,24 136:6 137:21 140:14 142:9 143:2 152:23 153:2,7 153:8 162:6 167:20,24 168:5 168:14,19 173:13,14 174:4 175:13 176:4,10 181:15,18,19 182:3 183:5,9 183:11,22 184:15,17,18,19 185:9,10
thankful 78:21
Thanks 98:11
theft 48:7 65:17
theory 78:12
thieves 63:20
thing 28:18,19 40:23 64:4 66:17 81:6 89:6 94:21 105:12 112:22 117:4 120:8 126:21 139:20 180:13 184:8
things 19:8,19 22:3 27:22 28:4 28:5 31:8 43:23 55:23 58:18 61:4 67:4 98:23 111:7 113:14,23 118:16 119:5 121:1 126:2 129:13 138:20 145:21 181:12
think 20:19 21:23 22:4,12 23:18 26:16 29:3,8 30:13,15 31:20 32:2,13,17 34:5 34:19 35:23 37:6 39:18 44:19 55:19 56:3,12 57:22 68:8 71:8 74:11 75:1 91:7 93:9 97:10,23 99:6 99:11,18 102:17 106:24 107:1 119:11 121:20 125:10 127:6 129:2 135:15 136:9 137:13 141:12 142:13 154:3,17,18,21 154:22 158:14 166:12 170:20 171:3,12 173:19 174:11,13 175:5 177:2 180:2 181:10 184:5
thinking 33:8 59:17 71:8 72:5
third 35:18,18 158:1,1,22
Thomas 168:21
thought 120:8,11 148:7 158:10 169:21
thoughts 59:2
thousand 17:18 88:6 108:15 162:17
thousands 23:11 50:16 51:16 66:1 88:16
three 10:3 35:14 39:5 45:9 49:1 66:20 85:18 94:1 106:12 112:24 124:2 125:14 128:1,3 135:2,7 137:16 139:13,19 144:6 150:11 157:9,19 157:22 162:19 163:17 172:6,14 174:2 177:23 178:6 182:10,12
three-story 178:9
throw 74:22 175:16
thrown 35:16
Thursday 92:22 172:7
ticker 164:24
Tilahun 147:12
till 86:3
time 3:5 5:15 6:19 13:6 14:2 18:17 22:4 24:9 29:10 33:24 34:2 37:4 39:3,16,21 48:11 56:12 62:7 65:4,10 70:22 71:3 74:1 80:5 81:24 82:4 85:18 86:17 95:22 96:18 98:5 113:23 114:2,24 120:22 123:21 129:22 134:22 135:4 136:21 147:18 149:14 154:20 155:13,18 158:9 158:11 159:3 162:23 163:5 171:12 173:6,20 174:15,18,24 181:15
times 12:4 16:2 16:22,24 51:12 53:2 55:8 61:6 61:22 74:14 96:15 118:22 120:18 138:17 141:17 144:7,8 144:8 156:6 157:9,19,22,24 162:19,19,20 163:17 172:17
timing 79:21
tiny 54:23
tip 32:3
title 2:7 103:10
TLC 56:11
today 4:19,23,24 4:24 5:4 8:15,22 27:7 31:8 45:9 56:22 59:20 62:7 63:12 68:14 69:20 79:3 82:12,19 87:8 98:24 110:6 112:23 118:4 121:11 142:11 147:21 148:12 168:16 176:17,21 182:13 184:22 185:10
today's 73:20
toe 116:8
told 28:16 43:15 49:2 57:2 78:1 96:8 97:2
tolerate 52:1 128:17
Tom 142:17 143:15,19,21
tomorrow 52:8
tonight 64:1
tool 30:1 134:11
tools 6:17 38:17 138:19 152:2 184:13
top 92:7
topic 143:4
topsoil 16:17
Torresdale 132:2
total 9:10,16 11:24 12:4 16:16,21,22,24 17:1,5,22 74:7
totally 3:10 93:14
touch 77:20 122:1 140:22 142:5
touches 136:5
tough 128:7 183:13
tour 182:6
town 37:3 76:24 130:11 139:3
towns 76:15 172:23
tracks 46:22
traffic 135:16
tragic 33:22 63:9
train 73:2
trajectory 62:2
transcript 186:9 186:18
transition 179:3
transitional 178:4
translates 149:2
trap 67:17
trash 43:20 61:6,8 61:12 93:22,23 94:12,14,16,18 95:2 102:24 133:16 141:24 142:2 144:4 160:19 164:6 170:24
treated 162:22
tree 16:17
tremendous 69:4
trenches 26:19
triangulate 76:21
tried 65:10 92:3 102:7 140:8 146:14
triggered 65:12
triggers 3:12
tripling 64:23
trouble 27:11
troubled 7:3

troublesome 135:8 136:14
truck 94:10,16
true 35:2 37:1,11 43:23 44:8 59:21 111:14 139:21
truly 130:8
trust 173:23
truth 49:6
try 32:17 33:13 35:7 65:4 68:3 68:21 88:14,22 111:13 121:6 128:19 139:7 161:23 184:3,11
trying 29:9 35:15 40:4 41:1 42:15 44:2 63:18 76:21 79:6 91:23 98:2 100:19 101:8 102:5 105:12 108:20 111:17 117:11 121:22 125:9 134:1 136:15 143:12 154:7 158:10 174:20 179:13
turn 20:8,11,13 23:2,19 26:19 26:24,24 27:9 27:16 67:16 69:14 78:7 91:8 107:22 168:22
turnaround 3:21 171:7
turned 58:11 123:20
turning 20:4
twelve 94:8,10,16 96:16 179:23,24
twice 124:9 144:6 162:18
Twitter 126:11
two 4:23 5:6 35:14 46:2 59:1 59:2 85:3 86:14 86:15,15 87:10 94:24 97:6,6 106:12 112:12 130:7 141:20 144:10 157:24 163:9,11 164:21 174:2 175:17
twofold 41:14
two-thirds 10:1 31:22
type 32:20,21 52:18 71:12,13 73:20 97:8 98:22 111:6 145:5
types 103:19 118:10 149:18
typical 27:19 86:12
typically 38:10

U

ugly 65:22
Uh-huh 89:20
Ulatowski 5:7,9 5:10,24 185:1
ultimately 61:21
unacceptable 73:7 126:20 142:4
unclog 113:23
underage 126:16
undergraduate 129:10 130:14
underground 76:23
understaffed 136:16
understand 3:3 10:7 32:24 40:16 48:4 77:21,24 88:8 88:18 91:13 93:5 95:13 111:4 130:19 172:4 175:17 178:13 181:2
understanding 3:23 169:21
understood 44:15 78:22
undertakes 13:12
under-maintain... 19:23
unemployment 37:19 180:21
Unfair 100:11
unfortunate 180:6
unfortunately 21:7 24:2,17 25:16,18 26:8 48:10 68:20 90:19
unintended 37:14
unique 20:16 69:1 172:22 174:11
uniquely 60:13
unit 24:10 40:19 55:9 96:17 125:14 145:9
United 129:14
units 23:10,17 41:5 148:18,22 148:24 149:2,19
universe 14:12
university 8:20 122:19 128:19 128:20,22 139:17 171:5
unknown 70:3 108:13
unlicensed 52:23 57:5,7,9 66:19 67:17,24 70:2,2 72:19,21 74:3 75:3
unreasonable 61:11
unrelated 125:14 137:16 139:20
unresponsive 139:6
unsafe 178:22
unsavory 134:9
unsightliness 119:14
unsustainable 87:22 89:17
untreatable 134:19
unwilling 88:3
updated 6:12 124:16
upgrading 57:12
upkeep 154:9
upper 50:3,7,9 132:21,23 134:6
upscale 37:10
upstairs 92:23
upwardly 182:21
upwards 182:7
Urban 8:21
urge 26:14 132:10
urinating 126:16
use 29:18 78:15 91:8 124:14 125:5 134:17 163:22 176:1
uses 17:9
usually 65:8 118:11 123:17 133:23
utilities 116:9
utilize 32:17
utilizes 151:10
utilizing 151:14
Utterly 73:7

V

vacancy 85:7 151:8
vacant 8:23 9:8 9:14,18 12:23 13:11,15,23 14:7,16,22 15:1 15:2 16:9,13,16 17:14 18:2,4,13 19:6 20:9 21:17 23:24 25:2,23 74:23 84:23,24 85:3,6 88:20,21 89:8,14 90:15 90:21,22 91:7 92:20 93:6,8 102:3 105:20,24 110:10,14,18,21 150:21,24 151:2 151:5,6,13 152:6,7 160:19 164:7,13 165:20 166:1 177:18,20
vacation 163:6
Valley 168:21
value 10:23 13:2 13:11,16 15:16 16:6,11 17:17 18:5,6,8 19:13 19:14 46:20 86:21 95:12,17 102:11,18 103:3 117:21
values 10:19 12:10,22 14:6 16:2 17:21,23 18:3 46:18 89:10 101:19,23 102:4,6,11 106:20,23 107:3 109:2 128:13 177:6
vandalism 48:6
variance 140:3,4
variety 42:3
various 107:18
vermin 19:19
Vestmax 105:2
viable 65:23 87:19
vibrant 59:19
Vice 8:11,17
VICE-CHAIR 1:13
Victim 145:15
victims 27:6 28:23
view 4:3 91:14

vigilance 60:1
Village 7:20 174:8
vio 86:10
violate 87:21 116:20
violated 114:20 114:21
violating 111:2 137:15
violation 26:13 29:2 30:4 57:21 82:5 85:17 86:3 86:6,8,13 94:23 96:4,8 97:1,6 99:22 100:16,18 101:12 106:9 108:5 112:17,23 113:17,19 114:7 115:5 118:17 129:9 137:18 144:5,9,11,15 145:17 156:23 156:24 157:2,4 157:5,6,14 163:5,9,10,13 164:12,20,22 165:3
violations 4:20 25:10,15 26:5 28:3,6,7,13,13 30:3 32:9 33:7 33:19 35:12 49:3 58:1 81:13 81:16,17,19,20 85:11,13,20,24 86:18 87:21 93:18,22 94:12 94:15,19,23 95:16,19 96:12 96:16,18 97:8 97:10,12,16,17 97:19,24 98:4 98:23 99:13 101:5,12,20 102:8,16 103:7 106:3,17 107:16 108:8 109:23,23 110:3,13,14,23 111:7,16 112:8 112:9,14,20 114:24 115:15 116:21 125:13 128:24 144:2 150:7,11 151:7 153:16 160:24 162:11,16
violator 157:4
violators 162:16 162:22,23
virtue 79:10
vision 4:4
visited 144:5,6,7,8 162:18,18,19
visiting 163:17
vital 184:4,5,6
vitality 132:6
Voucher 42:7
V-e-s-t-m-a-x 105:3

W

Wachter 14:4
waiting 183:11
waive 88:2,16
walk 57:17 62:24 92:17,19 107:23 110:20 163:21
walking 99:7 110:18 171:20 182:6
walls 134:8
Walnut 93:24 94:3,5 95:14
Walsh 79:22 80:11,11,14,17 82:14,18,21,21 83:2,5,10,14,16 83:19,24 84:2,4 84:14 85:2,7,9 85:13,23 86:1,5 86:22 87:7 88:8 88:11,18 89:6 89:21 91:13,18 93:5,17,20,22 95:9,20 103:21 110:4 111:11,22 112:7,14 113:21 114:1,5,10,12 115:3 116:3,12 116:16,24 117:16,20 118:20 119:7,17 121:8 122:5
Walter 5:7,9 185:1
wannabe 134:6
want 4:24 6:5,20 18:23 24:21 36:6 37:12,13 40:3 41:6 55:16 57:1 58:21,22 59:5 64:14 65:2 65:16 67:20 68:1 69:13 70:21 71:2 73:4 74:12 77:15,23 79:24 87:16 88:19 90:14 91:16 92:6,14 92:17,19 98:18 99:8,9 101:22 103:9 107:7,12 107:13 108:12 108:21 109:21 113:13 117:13 117:16 122:11 123:1 130:16,17 130:21 133:22 140:8,9 141:9 142:11 143:6,6 148:4 163:14 167:20,24 169:14 175:21 177:14 182:2,3 182:16 183:5,22 184:15,20
wanted 22:7 44:13 57:20 80:3 82:9 88:1 142:22 147:9 153:3 173:15,17 176:17
wanting 63:15,16
wanton 59:9
wants 49:4 50:24 99:15 110:19
war 100:4
Ward 181:4
warehouse 175:15
wary 99:2
Washington 77:14
wasn't 44:20 68:18,19 80:17 101:2
watch 55:3
watched 3:8
water 48:13 52:17 53:2 54:13 58:16 65:21 66:4 72:23 88:6 89:15 90:3 117:4
way 24:23 28:15 30:9 33:11 45:17 54:9 62:23 68:3 71:10 94:17 97:12 102:18 107:4 110:2 117:1 119:8 125:3 127:20 128:15 156:13 158:13 161:10 172:12
ways 30:15 32:17 52:6 53:1 65:1 173:1
wealth 11:18 12:5 15:7 16:3 17:3 18:15
wear 145:14
Wednesday 1:8
weeds 54:6 102:24 109:24 110:14 111:7 144:3 164:6
week 52:7 75:23 75:23 85:14,16 86:13 100:9 138:17 172:9
weekends 174:18
weeks 39:5,18 93:24 112:12 144:10 163:10 163:11 164:21 165:8
weigh 30:3 133:3
weight 94:13
welcome 170:12 173:10
welfare 59:9
went 58:9 87:18 96:24 97:2 108:15 126:11
weren't 158:16
West 11:14
we'll 45:15 104:9 122:2 164:16
we're 18:21 27:7 30:14 40:19 92:13 93:10 101:8 120:14 135:15 143:12 148:1 154:19 161:22
we've 28:15 29:9 55:22 69:3 84:14 140:7 154:4 158:14
Wharton 14:5
white 52:17
widely 26:9
William 1:14 83:14 122:20
willing 5:16 68:4 79:3,10,12 88:13 101:3 121:12,21,22
wind 78:2 120:9
window 78:12 96:10 115:5,5 115:11 151:20 171:21

windows 133:17 151:16
wins 39:20
wipe 91:17
wish 124:11
witness 4:23 133:12
witnesses 2:15 4:10,12 134:24
women 70:13
wondering 38:7
wood 16:19
word 114:15
words 36:22 52:18 99:21 116:5
work 5:17 32:22 34:24 41:2 54:23 60:5 78:18 79:12 88:14 90:2 92:3 106:11 119:24 120:4 121:13,22 128:19 129:23 129:24 130:24 131:1,9 145:4,7 146:14 152:15 152:17 160:20 161:1,15,19 162:3 165:21 173:5 174:17,19 175:10 180:9 181:23 185:3
worked 23:14 138:9 146:20 149:6 152:3 169:16,19
working 27:10 51:19 52:21 66:6 69:16 70:7 80:23 123:11 124:15 126:13 135:22 136:12 138:4 146:22 149:8
workman 97:21
works 27:16 79:15 130:11
worse 46:24
worst 157:11
worth 11:7 14:17
wouldn't 34:22 73:8 100:14 114:23
writ 39:22,23,24
write 112:23 137:7 139:11
writing 111:2 142:22 143:17 153:14 159:10 167:19 168:7
written 4:10,13 45:12 80:10,12 122:12,21 142:18 143:10 157:2,14 162:11 168:23
wrong 57:22 81:11 100:1 107:23 120:12 140:1 155:20
wrote 144:2
www.strehlowc... 186:24
Wynnefield 76:16

X

X-amount 108:15
X-number 179:16

Y

yards 126:16
yeah 35:1 88:9 109:13 138:8,9 163:4 183:6
year 12:9 18:11 20:20 54:16 58:8 81:15 109:13 112:19 126:6 144:1 148:20 149:1,12 162:9 163:18
yearly 31:13
years 10:16 14:11 15:6,18 23:11 23:14 24:5 26:1 27:21 28:5,16 35:1,14 43:13 47:24 54:11 63:4 69:5 81:14 83:19 87:12 89:23 105:6 118:1,2,2 123:14 162:5 169:9,14,16 172:18
yesterday 123:8
yielding 80:5
yields 12:4 16:2 16:23
York 21:5,8 22:21 77:12 145:24 146:8,13
young 103:5 107:20 179:23

Z

Zaslow 23:2 45:2 45:4,6,6,14 56:17 58:24 62:5,14 71:4 72:4 75:10 79:17
zero 92:15 177:14
ZIP 9:23,24 10:2 10:5
zoning 141:2

$

$1 152:12
$1,000 10:24 118:3
$1,800 115:13
$1.1 12:5
$1.20 16:19,21
$10,000 48:17 55:2,5 117:3
$100,000 10:21 15:10 115:14
$142 51:9
$170 53:24 54:1,7
$186,000 109:15
$2,000 33:18
$2.40 16:23
$20,000 64:21 117:2
$200 48:15 89:24 118:1 166:4
$224 18:15
$25 167:4
$3,600 115:13
$3.5 16:2 18:8
$300 115:5,10 118:16 151:18
$347 12:9 17:24
$35,000 15:9,19
$4,000 67:14
$45,000 11:9 12:3 17:21
$450 94:17
$5 149:3
$5,000 54:10 64:22
$50,000 165:24
$500,000 150:4
$54,000 11:14
$7,000 117:3
$7.43 18:15
$900 94:23

0

07 182:5

1

1 10:19 14:21
1,000 144:5
1,800 115:12
1:44 185:13
10 89:22
10:22 1:8
100 97:3 126:10 149:2,10
100,000 15:23
11 31:23 37:19 144:8 162:19
120179 1:19 2:8 148:13 152:24 176:10
134 9:15
14 14:11
140,000 148:21
15 84:22 89:23 169:9 172:18
15,000 42:23
15.3 17:2
16 14:18 18:3 115:11
16th 181:4
16,000 132:1
160,000 10:15
17 51:8
170 54:21
18 32:1
180,000 74:13
1995 39:10
1996 14:11

2

2 15:4
2-401 2:17
20 1:8 28:16 69:5 83:10 84:22 101:19 104:14
200 74:9
2007 150:14
2008 148:20
2010 14:11 158:15 158:20
2011 150:15,16
2012 1:8 149:1 158:15
206 144:6 162:18
21 39:7
22 15:20
22.2 37:17
23,000 10:6
24 65:19 133:20
240,000 148:24
25 48:1,3 83:10 127:20 169:14
25,000 151:3
26 37:15
268,000 11:24 12:4
27 37:15
28 13:3 18:6

3

3,000 150:15

3.5 17:3
30 54:11 59:4 83:19 105:6 152:10 155:20
30-day 155:17
300 104:7 150:14
311 149:6,8,9 155:13,17 156:4 156:17,17 164:9
33 32:1
33nd 181:4
35 157:3,22,24 158:3 159:5,6,7

4

4 112:18,19
4,700 14:10
40 149:9
400 1:7 41:4
45 11:6,8,15
457,000 15:21
47 74:5,7,9 75:4
48 9:23
480 68:17

5

5 15:4 81:15 83:6
5,000 118:4
50 126:9
50s 62:22
500 74:8 83:5,7 84:21 87:13
55,000 9:7
579,360 9:10

6

6 31:23 112:7,8
6,200 144:3,4 162:11
6,400 162:15
6.4 16:24
60 124:1 182:7
60th 114:13
600 41:4
650 41:5

7

7 9:17 17:12 41:5 129:23
70 74:11 150:6
71,969 149:12
75 144:7 162:19

8

8 41:15,19,22 42:6 42:19,20 43:1,4 43:12,15,17,18 43:22 44:10,13 112:8,20 129:23
8,800 144:2 162:11,15
80 123:18

9

9 112:20
9,000 81:15
9.4 9:14
9.5 9:11 17:10
90 101:6 123:19 151:20
98 149:13
99 137:9