



CITY OF PHILADELPHIA
CITY COUNCIL

August 6, 2021

President Judge Patrick F. Dugan
Supervising Judge Matthew S. Wolf
Philadelphia Municipal Court
1301 Filbert Street, Suite 1303
Philadelphia, PA 19107

Dear Judges Dugan and Wolf:

Thank you for your continued leadership throughout the COVID-19 pandemic, especially regarding your support for the Eviction Diversion and PHL Rent Assist programs. First Judicial District orders and efforts have been instrumental in disbursing over \$62 million in rent and utilities assistance to date, as well as supporting the participation of over 2,300 sets of landlords and tenants in mediation through the Eviction Diversion Program, where the vast majority of resolutions avoid eviction.

Given renewed threats from the pandemic and concerns that have arisen since the resumption of lockouts in the past month, however, we ask the court to resume its pause on lockouts.

As you are undoubtedly aware, the delta variant of the COVID-19 virus poses a major threat to our city. In the three weeks since July 15, daily new cases have risen over 700% in Philadelphia. The Center for Disease Control (CDC)'s action this week to issue an extended eviction moratorium through October 3, 2021 for counties experiencing substantial and high levels of community transmission such as Philadelphia reflects the importance of preventing evictions as a means to limit viral spread. We believe reinstating the pause on lockouts would be in keeping with these public health efforts.

Since lockouts resumed, issues have emerged that create significant concern to us and which we believe could be remedied with additional time and coordination. Our offices have heard from families with very young children and infants as well as from senior citizens who were suddenly locked out of their homes with no advance notice and no place to go, the last official communication from the courts having come over nine months earlier. We are receiving calls from families who lost their possessions and are now sleeping in cars, have had to split up, or are living in unsafe conditions following a surprise lockout. We have heard of families who were locked out despite qualifying for the CDC moratorium, and even who provided documentation to their landlord that was ignored. Disturbingly, we are also aware of dozens of families who have been evicted despite having approved or pending applications for rental assistance, with hundreds more anticipated in the coming weeks.

We know that individuals within the courts, our city agencies, and community organizations are working tirelessly to coordinate and deliver assistance to people who are at imminent risk of being locked out of their homes; however, given the above concerns and the accelerating spread of COVID-19, we are especially worried about scheduled lockouts in the coming weeks.

Reinstating the pause on lockouts would allow us time to incorporate lessons learned to ensure a safe and fair process for everyone involved. Additionally, we understand the need for landlords to move forward with evictions in certain serious situations and support the continuation of the court's previously established process for landlords to petition for specific exemptions. Finally, we strongly urge that whenever lockouts do take place, there should be provided new writ service ten days before any lockout to ensure adequate notice and due process.

We sincerely appreciate your ongoing efforts to lead throughout this pandemic and believe the court is well-positioned to continue to navigate challenges as we approach another wave of infections. Philadelphia has recently been heralded as a national model by the Department of Justice, the White House, and the Urban Institute for how it is addressing the front end of the eviction process, in large part due to your work. We believe this is another opportunity for the court to take meaningful action to protect public health and look forward to continued collaboration on these issues.

Respectfully,



Helen Gym
Councilmember At-Large



Kendra Brooks
Councilmember At-Large



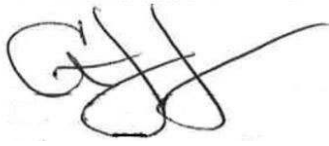
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Councilmember, 3rd District



Derek Green
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Kenyatta Johnson
Councilmember, 2nd District



Curtis Jones, Jr.
Councilmember, 4th District



Katherine Gilmore Richardson
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