

AIDS Law Project Quality Assurance Review
Public/Private Housing and Utilities
July 1 – September 30, 2015

We are always concerned with the quality of our services and proactively created a Quality Assurance Team to internally monitor our performance. Given the attorney's duty of confidentiality to clients and the sensitive nature of the attorney-client privilege, all quality reviews are done in-house.

To assess the quality of our work, every year we review the housing cases that we completed and closed in the 3rd quarter of the year (July 1 – September 30). Housing cases include those involving: private landlord/tenant issues; public housing landlord/tenant issues; and utilities.

Between July 1 and September 30, we closed 60 files for clients who contacted the AIDS Law Project requesting legal assistance with housing issues. We provided direct representation and/or advocacy, legal information/advice and/or referrals in 56 of the cases. We received no response from 4 clients.

Each individual who calls with a legal concern receives a thorough intake review with an attorney, trained paralegal or certified legal intern who handles calls immediately and provides triage for persons in crisis. Each case is then reviewed by the Intake Team, which determines an appropriate course of action. Sometimes staff will represent the client in court. Other times, staff will help informally by negotiating an agreement with another party, such as a landlord or a mortgage company. Clients who need assistance in a practice area outside our scope of expertise (e.g., medical malpractice, personal injury, criminal defense) are referred to appropriate counsel. Callers who simply want information on their legal rights receive follow-up phone calls, meetings or written information.

This survey was performed by housing paralegal, Jade McKnight, who reviewed the housing cases closed in the third quarter of 2015. Jade pulled the files for the cases and reviewed each one individually. Using the outcome section of our closing form as a guide, along with the file notes, Jade determined the outcome of each of these cases, compiled the data, and completed the report.

Between July 1 and September 30, 2015, the AIDS Law Project of Pennsylvania closed 60 cases for clients requesting legal assistance with a housing-related matter and/or utilities.

- In 7 cases, clients received representation and/or advocacy. This category covers any instance in which a staff member of the AIDS Law Project represented a person in a hearing or contacted a third party on behalf of a client.
- In 40 cases, we provided legal information/advice to clients. This is the broadest outcome category and includes almost any time a staff member spoke to a client, whether it was to give illegal lockout advice or to advise them on how to request repairs.
- In 8 cases, clients were provided with a referral.
- In 5 cases, the clients were not reachable after the initial intake.

Public and Private Landlord Tenant Issues

37 Cases

Representation and/or Advocacy

We represented 3 clients in municipal court who were facing eviction. 1 client signed a judgment by agreement and found a new place to live. 1 client signed an agreement, but missed a scheduled payment. We were able to renegotiate the agreement to give the client more time to vacate the unit. 1 client was threatened with eviction based on the property manager's allegation that he owed \$3,728 in back rent. We successfully represented the client in municipal court by producing proof that neither the client nor his subsidy provider had missed a payment and the landlord withdrew the case.

We also successfully represented 1 client at an informal hearing who was facing a housing subsidy termination because of a dispute with her landlord. With her subsidy intact, she moved to a new place.

Legal Information/Advice

We provided legal information/advice to 19 clients who had questions about eviction. We advised these clients about the eviction process, stressing that landlords cannot lock out tenants without notification and a municipal court hearing. We also explain the timeline of proceedings, so that tenants who wish to move will know the relevant deadlines. In addition to providing basic information, we also check the municipal court docket to determine whether the landlord has a license to rent and if an eviction complaint has been properly filed. We then provide further assistance as appropriate, based on the client's wishes and the facts of the case.

We also provided legal information/advice to 4 clients about public housing. 1 client received advice on how to apply for a housing transfer. 1 client was advised that a judgment had been entered against him. He failed to pay his rent at a previous residence, which was now impacting his eligibility for Section 8, a subsidized housing program. We instructed him on how to have the judgment marked satisfied, once the debt was paid. We gave 1 client advice on how to obtain an extension of time to use for her Section 8 voucher. The client needed additional time to find a different apartment after her intended landlord rented the unit to another tenant. We explained the eligibility criteria subsidized housing programs to a client whose housing voucher was terminated when his criminal conviction was found at an annual recertification.

Referral

5 clients seeking representation were referred to other legal services organizations. 1 client called from Allentown which is beyond our geographic scope for housing cases and was referred to legal services in Lehigh County. 1 client called a week before her scheduled hearing and our housing attorney was unavailable. We referred her to the Senior Law Center, as she was eligible for their services. 1 client called after she has missed the deadline for requesting a grievance hearing following a notice of a proposed subsidy termination. We referred her to Community Legal Services, as they have greater success in late hearing requests. 1 client was not eligible for public housing because of a 10-year old arrest for marijuana possession and was referred to Community Legal Services for expungement of her criminal record. 1 client, who was facing eviction from public housing because his son was arrested on a felony drug charge, was also referred to Community Legal Services.

Not Reachable

5 clients called us for assistance with landlord/tenant issues, but did not respond to our phone calls and letter seeking follow-up.

Repairs 7 Cases

Representation and/or Advocacy

1 client's repair needs were so extreme that we advocated to their housing subsidy provider for a transfer. The client found replacement housing and moved.

Legal Information/Advice

We provided legal information/advice to 6 clients whose rental units needed repair. We advised these clients of the options of requesting repairs in writing or withholding rent if the landlord does not make the repairs. Tenants are also advised of the option to pay for the repair themselves and deduct the cost from their rent.

Security Deposits 2 Cases

Legal Information/Advice

2 clients came to us requesting information on obtaining security deposits from former landlords. We provided information that explains the process to request the return of the deposit, the timeframe in which the landlord must comply and instructions for filing in small claims court if it's not returned.

Miscellaneous Landlord/Tenant Disputes 6 Cases

Legal Information/Advice

1 client was living in a family home, and was asked to leave by another family member. The client was advised that if any money is paid for the housing, then a landlord-tenant relationship is created and it is illegal for a landlord to lock out a tenant without a court order. A locked out tenant can contact the police to be let back in. 2 clients were given information on rent-to-own agreements. 1 client's landlord refused to sign his application for a state-sponsored rent rebate program. The client was advised to bring the application to our office to be notarized, which is an acceptable alternative to a landlord's signature.

Referral

1 client was involved in a dispute with a neighbor and was referred to the Philadelphia Human Relations Commission. 1 client could not be served by our office because of a conflict of interest with an existing client.

Utilities 8 Cases

Representation and/or Advocacy

We represented 2 clients with utilities issues. We assisted 1 client in requesting an investigation as to why her PECO bill had abruptly increased. We found that her apartment building management had switched from gas to electric without informing the residents. We worked with PECO to ensure that a client's low income billing rates would be maintained. 1 client needed assistance applying for a grant to pay her PECO bill. During the course of her representation, we observed that her case manager refused to use the client's preferred pronouns. We assisted her in transferring to a different case manager.

Legal Information/Advice

5 clients were at risk of a utility termination because of non-payment. 1 client obtained an emergency grant and 3 clients entered into Budget Billing plans, which are available for low-income customers. A non-English speaking client was connected to a translator in order to enroll into a Budget Billing plan.

Referral

1 client had a high \$4,700 PGW bill caused by tampering charges and unpaid bills. The client was referred for bankruptcy for a fresh start and chance to secure future utility services.