

AIDS Law Project of Pennsylvania Quality Assurance Review
Public/Private Housing and Utilities
July 1 - September 30, 2020

We are always concerned with the quality of our services, so we proactively created a Quality Assurance Review 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, we review annually the housing cases we completed and closed in the third quarter of the year (July 1 – September 30). Housing cases include those involving private landlord/tenant issues, public housing landlord/tenant issues, and utilities.

In the third quarter of 2020, we closed 14 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, or referrals in 13 of the cases, which is 93% of all housing cases closed during that period.

Each individual who calls with a legal concern receives a thorough intake review with an attorney, paralegal, or legal intern who handles calls immediately and provides triage for persons in crisis. If the individual mentions being at risk of eviction, immediate advice is given. The staff person will advise that “self-help” evictions without a court order are illegal; law enforcement may be contacted if a landlord changes the unit's locks or takes other action to force a tenant to vacate without a court order. The intake ends with an explanation of AIDS Law Project's intake process. Each case is then reviewed by the Intake Team to determine 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, or 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 legal interns Paul Sindberg and Linnea Kelley, who reviewed the housing cases closed in 2020. Our team 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, we determined the outcome of each of these cases, compiled data, and completed the report.

The word “cases” refers to the number of case files our team opened regarding a client's legal matters. The word “issues” refers to the number of individual legal issues raised in our case files, and the word “clients” refers to the number of clients with at least one open case file. Some cases involve multiple issues, and some clients opened multiple cases; these are not exclusive categories but merely a tool to help us understand the areas in which we are impacting our community. Accordingly, issues, cases, and clients may be counted under more than one issue

category below. Because our team assisted some clients with multiple issues in one or more cases, the number of issues we report will often exceed the number of cases, and the number of cases we report will similarly often exceed the number of clients we served. In analyzing outcomes, we qualified an interaction as successful if we addressed the issue for which the client sought assistance.

In the third quarter of 2020, the AIDS Law Project of Pennsylvania closed 14 cases for clients requesting legal assistance with a housing or utility matter.

- ❖ In 4 cases, clients received representation and/or advocacy. This category covers any instance when a staff member of the AIDS Law Project represented a client in a hearing or contacted a third party on behalf of a client.
- ❖ In 8 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 1 case, a clients was provided with a referral.
- ❖ In 1 case, a client became unreachable after the initial intake, preventing us from providing further legal services.

Below, each of these 14 cases is explored further as one of three issue types: Public and Private Landlord Tenant Issues, Utilities, and Miscellaneous Housing Issues. Each case has been assigned to one of these three categories. For illustrative purposes, two additional sections are also appended below, providing cross-category issue-specific insight into our work on cases involving repairs and cases involving security deposits.

Public and Private Landlord Tenant Issues

11 cases

Representation and/or Advocacy – 4 cases

In one case, our client was facing serious mold issues in their living space; we sent a repair demand letter to their landlord and repairs were made accordingly. In one case, we contacted a client's landlord to help resolve concerns related to extermination issues. In one case, following our representation of the client in court, we worked with opposing counsel to ensure our client could recover their belongings after moving out. In one case, we helped a client successfully apply for housing benefits, despite their lack of proper identification.

Legal Information/Advice – 6 cases

In two cases, we advised the client on their rights after the client had received a notice to vacate, an indication that their lease would not be renewed, a default judgement, or another legal eviction notice. In one case, we advised the client on their rights regarding evictions in the absence of a notice to vacate or any other legal eviction notice.

In two cases, we advised a client on legal rights and options related to the return of their security deposit, including potentially pursuing the return of their security deposit in small claims court.

In one case, we presented several options for further action to a client concerned about obtaining title to their home given the interest of another party in the property.

No Service Provided – 1 case

On occasion, our office cannot provide services to a client. In one case, a client became unreachable via phone, email, and mail after their case was opened, so we could not provide services.

Utilities

1 case

Legal Information/Advice – 1 case

In one case, we advised a client on their options to pursue reimbursement after the client completed a utility-related repair on the property that normally would be the duty of their landlord.

Miscellaneous Housing Issues

2 cases

Legal Information/Advice – 1 case

In one case, we advised a client who had found sheriff's sale notifications on their property regarding the legal eviction process and their post-sale rights; we also monitored the docket related to that property and found no actual sale date.

Referral – 1 case

We referred one client interested in applying for housing services to the AIDS Activities Coordinating Office with the Philadelphia Department of Public Health.

Repairs

2 cases

N.B. This issue-specific section looks at cases across all three categories identified above - Public and Private Landlord Tenant Issues, Utilities, and Miscellaneous Housing Issues. The cases discussed herein have also been discussed earlier, and are presented again for illustrative purposes.

Representation and/or Advocacy – 2 cases

In one case, our client was facing serious mold issues in their living space; we sent a repair demand letter to their landlord and repairs were made accordingly. In one case, we contacted a client's landlord to help resolve concerns related to extermination issues.

Security Deposits

2 cases

N.B. This issue-specific section looks at cases across all three categories identified above - Public and Private Landlord Tenant Issues, Utilities, and Miscellaneous Housing Issues. The cases discussed herein have also been discussed earlier, and are presented again for illustrative purposes.

Legal Information/Advice – 2 cases

In two cases, we advised a client on legal rights and options related to the return of their security deposit, including potentially pursuing the return of their security deposit in small claims court.