

AIDS Law Project of Pennsylvania Quality Assurance Review
Public/Private Housing and Utilities
July 1 - September 30, 2021

To assess the quality of our work, we review annually the housing cases we completed and closed in the third quarter of the previous year (July 1 – September 30). Housing cases include those involving private landlord/tenant issues, subsidized housing, utilities, evictions, repairs and infestations, and security deposits.

In the third quarter of 2021, we closed 35 cases for 24 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 32 of the cases, which is 91% of all housing cases closed during that period.

A thorough intake interview with an attorney, paralegal, or legal intern is conducted for every call, visit, or on-line request seeking legal advice. Cases are triaged for crisis. Immediate advice is given if there is a risk of eviction. 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 locks or takes other action to impermissibly force a tenant to vacate. The interview 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 negotiate an agreement with another party, such as a landlord or a utility 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 seeking general information on their legal rights receive follow-up phone calls, an in-person or on-line meeting, or written information.

This survey was performed by legal interns Elizabeth Lilly, Ellie Schwab, Eric Richwine, Jess Stoltz, and Jake Soria, who reviewed the housing cases closed in 2021. 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 individual legal issues raised and the word “clients” refers to each individual with an one open case file. As categorized below, some clients had multiple cases that required different types of responses. However, these are not exclusive categories and are merely a tool to help us understand the areas in which we are impacting our community. Accordingly, clients may be counted under more than one issue category below. As clients have multiple issues in one or more cases, the number of cases we worked on may exceed the number of clients. 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 2021, the AIDS Law Project of Pennsylvania closed 35 cases for 24 clients requesting legal assistance with a housing or utility matter.

- ❖ In 17 cases, clients received representation and/or advocacy. This category covers any instance in which when the AIDS Law Project represented a client in a hearing or contacted a third party on their behalf.
- ❖ In 15 cases, we provided legal information/advice to clients. This is the broadest outcome category and includes almost any time a staff member or intern spoke to a client, whether it was to give illegal lockout advice or advise how to request repairs.
- ❖ In 3 cases, no services were provided either because a client became unreachable after the initial intake, the services requested were not services provided by the AIDS Law Project, or the client's issue was resolved without further intervention.

Below, each of these 35 cases is analyzed further as one of six issue types: Public and Private Landlord Tenant Issues, Subsidized Housing, Utilities, Evictions, Repairs, and Security Deposits. Each case has been assigned to one of these six categories. Some clients may be reported on in more than one case and may appear in more than one category.

Public and Private Landlord Tenant Issues

6 Cases

Representation and/or Advocacy – 2 Cases

We represented or advocated for two clients in public and private landlord-tenant cases. In one case, we contacted the landlord to remind them of their lease obligations and advised the client to contact their utility company about tampering with the electrical wiring.. In one case, we coordinated with Morris Home and the client's family to obtain residential treatment placement and support for a transgender client who lost their housing and belongings.

Legal Information/Advice – 4 Cases

We provided legal information or advice for four clients in public and private landlord-tenant cases. In one case, we advised a client on the process of resolving a landlord-tenant judgment and the process of seeking rental assistance funds. In one case, we advised a client on disputing a judgment for possession served on a tenant from whom the client was subletting.

In two cases, clients sought to sue their landlords in small claims court for throwing away their belongings after illegal evictions. We advised both clients on the process of filing a lawsuit and other available options.

Subsidized Housing

8 Cases

Representation and/or Advocacy – 4 Cases

We represented or advocated for four clients to secure or maintain subsidized housing. In one case, we successfully represented a client in an appeal to retain their rent subsidy and transfer it to a new unit. In one case, we negotiated with the client's landlord to secure a transfer of a housing choice voucher to a different unit and to extend the transfer voucher to allow for a longer search time. In one case, we contacted the client's prior landlord requesting he complete a rent rebate form. The prior landlord did not respond, and we advised the client to complete the form with an affidavit stating that the landlord had not responded to a request for signature. In one case, we helped the

client address repair issues, allowing the client to resign their lease and maintain their housing subsidy.

Legal Information/Advice – 4 Cases

We provided legal information or advice for four clients to secure or maintain subsidized housing. In one case, we assisted the client in receiving Covid-related rental assistance funds. In one case, we advised the client that they could terminate their subsidized housing lease due to habitability issues, even if it automatically renewed. In one case, we advised the client on seeking rental assistance to avoid eviction by their current landlord. In one case, we advised the client on the impact a potential new job may have on their housing subsidy, and explained the reporting requirements for income changes and the rent calculation process.

Utilities

2 Cases

Representation and/or Advocacy – 2 Cases

We represented or advocated for two clients to assess potential overcharges for their water bills. In one of these cases, we reviewed the ledger for discrepancies, counseled that there was no evidence of overbilling, and negotiated for our client to have the water bill in their name. In the other case, we reviewed the client's lease, contacted their landlord, and secured the reversal of past water bill charges.

Evictions

11 Cases

Representation and/or Advocacy – 4 Cases

We represented or advocated for four cases with eviction issues. In one case, our client was threatened with eviction due to unpaid rent and a breach of their lease. We successfully represented our client at trial because the landlord did not have a current rental license. In one eviction case, we negotiated a resolution with the landlord's attorney resulting in a dismissal of the complaint.. In one case, our client returned home to find their apartment boarded up and that an eviction lawsuit against our client's deceased partner had been filed. We successfully represented the client and the landlord withdrew the case during the court appearance. In one case, we negotiated a settlement with the landlord for a client facing eviction to receive \$2,000 in exchange for possession and a waiver of claims.

Legal Information/Advice – 5 Cases

We gave legal information or advice for five cases with eviction issues. In one case, our client owed back rent to their current landlord. We directed the client to COVID-related rental assistance funds, who was then able to pay the back rent.

In three cases, we explained to clients facing eviction for non-payment, the eviction process and tenants' rights under the Emergency Housing Protection Act. In one of these cases, we advised a client how to file a small claims lawsuit against a landlord for repair issues.

In one case, a client sought advice on how to satisfy a 2015 landlord-tenant judgment. We explained that the judgment could not be satisfied until the amount was paid in full and that the amount due was the same as what was ordered at the 2015 hearing.

No Services Provided - 2 Cases

We provided no service in two eviction cases. In one case, we offered to review a client's lease and negotiate with a landlord regarding a notice to vacate at the end of the client's lease. After the client did not follow up, we learned that the client moved out of the property. In one case, we informed a caller that removing a family member from their dwelling was not a service provided by the AIDS Law Project.

Repairs

7 Cases

Representation and/or Advocacy – 5 Cases

We provided representation and/or advocacy for five cases with repair issues. In two cases, we sent requests for repair to clients' landlords and advised them of their options, if their landlords fail to resolve the issues. In one case, our client's home was infested with roaches. We sent an extermination letter to a landlord and repairs were made accordingly. In one case, we successfully contacted a client's landlord to ensure a variety of repairs throughout the property were made. In one case, we filed a complaint with the Fair Housing Commission on behalf of a client whose landlord refused a request for repairs.

Legal Information/Advice - 1 Case

In one case, we advised a client to contact Licensing & Inspection to request an inspection of uncorrected repairs.

No Services Provided - 1 Case

In one case, we followed up with a client who contacted us requesting help getting necessary repairs, and learned that the repairs were successfully completed.

Security Deposits

1 Case

Legal Information/Advice – 1 Case

In one case, a client sought advice on the return of a security deposit, which he needed to pay the rent on a new room. We explained the process, but the client was afraid for their personal safety if they challenged the former landlord. We directed the client to COVID-related rental assistance funds. The client received funding and was able to pay rent without risk of harm.