

AIDS Law Project of Pennsylvania  
Quality Assurance Review

**Housing**  
**July 1- September 30, 2022**

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 2022, we closed 56 cases for 49 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 49 of the cases, which is 89% 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 Victoria Adams, Nora Casper, Jenna Centofanti, Lara Ormiston, Kyle Mackey, and Thomas McGann, who reviewed the housing cases closed in 2022. 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 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 23 cases, clients received representation and/or advocacy. This category covers any instance in which the AIDS Law Project represented a client in a hearing or contacted a third party on their behalf.
- ❖ In 21 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 5 cases, we referred clients to organizations better suited to working on the issues presented.
- ❖ In 6 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 55 cases is analyzed further as one of seven issue types: Public and Private Landlord Tenant Issues, Subsidized Housing, Utilities, Evictions, Repairs, Security Deposits and Home Ownership. Each case has been assigned to one of these seven categories. Some clients may be reported in more than one case and may appear in more than one category.

### **Public and Private Landlord Tenant Issues**

27 Cases

#### **Representation and/or Advocacy – 11 Cases**

In eleven cases, we directly represented our clients in landlord tenant issues. We represented eight clients in negotiations with their landlords to prevent evictions. We advocated with property management for greater enforcement of the non-smoking rules. The property management put up more signs and promised to contact tenants violating the rules. We represented a client in a Fair Housing Commission hearing, which allowed the client to withhold rent due to noncompliance with city building regulations. In another case, we worked with the client to get a replacement money order to pay the delinquent rent balance.

#### **Legal Information/Advice – 12 Cases**

We provided legal advice to twelve clients in landlord tenants disputes. In three cases, we gave advice to clients representing themselves *pro se*. In three cases, lockout advice was provided. In one case, a client was given advice on receiving compensation regarding moving out early when their landlord wanted to sell the building. In another case, advice on noise complaints was provided. In another case, we provided advice about the end of COVID-19 ordinances prohibiting rent increases. In another case, we provided advice to a client about how much back-pay they should owe when their landlord set-up submetering for their utilities; they paid the full, fair amount. In another case, we read the new lease provided by a client's landlord for an automatic renewal and explained the terms. We provided advice to another client about switching to a new unit through their subsidy provider, but they did not return our calls afterwards.

### **Referral – 1 Case**

In one case, we called the local legal aid office with the client to open an intake in the event that their landlord files a second court case.

### **No Services Provided – 3 Cases**

In three cases, we were unable to provide services. In two cases, a client changed their mind about wanting to pursue their legal issue. In another case, there was a conflict of interest and we were unable to provide services.

## **Subsidized Housing**

11 Cases

### **Representation and/or Advocacy – 5 Cases**

In five cases, we advocated or represented clients regarding their subsidized housing. In one case, we assisted a client with the recertification of her section-8 voucher and transfer of subsidies to pay for utilities. In another case, a client faced eviction due to their landlord increasing rent above the guidelines of the HOPWA program that sponsored their housing. We successfully appealed and the client was allowed to keep their housing. In one case, we filed a successful appeal on behalf of a client denied LIHEAP. Lastly, in two cases we assisted clients after they received a Notice to Vacate. We obtained a Judgment by Agreement with no money judgment in both cases.

### **Legal Information/Advice – 3 Cases**

In three cases, we provided legal advice or information to our clients about subsidy issues. One client contacted us seeking assistance transferring her subsidy to a different apartment, due to uninhabitable conditions in the home. We advised the client on working with the subsidy provider to find a new unit. Another client received notice that her subsidy provider had not been paying their portion of the rent. We represented the client in negotiations with the subsidy provider and the arrears were paid. In another case, we worked with the Mazzone Center to help a client with a subsidized housing issue, but the client ultimately decided to drop the issue.

### **Referral – 3 Cases**

In three cases, we were able to provide referrals to other organizations that best suit the client's needs. One client contacted us requesting assistance with securing a housing subsidy voucher. We advised the client that we could not complete the voucher application, but we connected the client with the Philadelphia Housing Authority's technical assistance unit so he could access his online account and check his status on the waiting list. We also provided a client with information on rights and duties as an applicant for subsidized housing and referred him to subsidized housing resources. In another case, a client was seeking a voucher for different subsidized housing because she believed someone was entering her apartment without her permission and tampering with her electronic devices. We referred the client for the voucher, but she died before finding new housing.

## **Evictions**

6 Cases

### **Representation and/or Advocacy – 3 Cases**

In three cases, we advocated for clients facing eviction. In one case, we successfully negotiated with opposing counsel to extend the move-out date after the client represented himself *pro se*. In one case we negotiated with the client's landlord and prevented an eviction. In another case, we defended the client in a breach of condition eviction lawsuit and negotiated a Judgment by Agreement.

### **Legal Information/Advice – 1 Case**

In one case, we provided advice about illegal lockouts to a client facing an impending eviction.

### **Referral – 1 Case**

We referred one client to Philly Tenant Hotline to contest an illegal eviction because they wanted a second opinion after hearing our advice.

### **No Services Provided – 1 Case**

In one case, the client had a change of circumstances and was no longer available to receive our legal services.

## **Utilities**

1 Case

### **Legal Information/Advice – 1 Case**

In one case, we assisted a client with a water shutoff notice and a LIHEAP application. The LIHEAP application was approved and no shutoff occurred.

## **Repairs**

8 Cases

### **Representation and/or Advocacy – 3 Cases**

In three cases, we provided legal advocacy to clients with repair issues. In one case, the landlord fixed the elevator and we called the property manager. In another case, the client contacted us because her landlord refused to repair her refrigerator and the client paid for repairs herself. We contacted the property manager who agreed the client could deduct the cost of repairs from the rent. In another case, the client contacted us seeking assistance with transferring her subsidy to a different apartment because conditions in the home were not habitable. We contacted the landlord to request repairs and advised the client on working with a subsidy provider to find a new unit.

### **Legal Information/Advice – 3 Cases**

In three cases, we provided legal advice or information on repairs. In one case, we advised a client to apply for LIHEAP to help restore electricity and reduce their gas bill. In another case, we advised a client to request that the landlord repair their carpet and open a new intake with us

if denied. In another case, we reviewed the client's LIHEAP application and water shutoff notice.

**No Services Provided – 2 Cases**

In two cases, circumstances changed for the clients, and they no longer required our services.

**Security Deposits**

2 Cases

**Representation and/or Advocacy – 1 Case**

In one case, we successfully represented a client in Municipal Court when the landlord refused to return the security deposit. Client was awarded the security deposit and damages. We then filed a writ to collect the judgment.

**Legal Information/Advice – 1 Case**

In one case, we evaluated the merits of our client's security deposit claim and sent a letter of advice on how to file a *pro se* claim.

**Home Ownership**

1 Case

**Representation and/or Advocacy – 1 Case**

In one case, we represented a client in executing a quitclaim deed to remove the name of a former partner.