

AIDS Law Project of Pennsylvania
Quality Assurance Review
Housing
July 1 - September 30, 2023

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

In the third quarter of 2023, we closed cases for 42 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 40 of the cases, which is 95% 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 Emerson Bass and Selene Correles, who reviewed the housing cases closed in 2023. Emerson pulled the files for the cases and compiled the data. Using the outcome section of our closing form as a guide along with the file notes, Selene determined the outcome of each of these cases 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 14 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 6 cases, we referred clients to organizations better suited to working on the issues presented.
- ❖ In 2 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 42 cases is analyzed further as one of seven issue types: Public and Private Landlord Tenant Issues, Subsidized Housing, Utilities, Evictions, Repairs, Security Deposits and General Assistance. Each case has been assigned to one of these seven categories. Clients may be reported in more than one case and more than one category.

Public and Private Landlord Tenant Issues

13 Cases

Representation and Advocacy – 4 Cases

In one case, the landlord would not renew the tenant's lease. We negotiated with the landlord, and the tenant was permitted to stay housed until a new unit was located

A second client contacted us because a previous eviction was impacting their ability to rent. We confirmed that the judgment was already satisfied and that any further record sealing is provided by current laws.

In a third case, a client sought advice on how to respond to the landlord's threats of eviction. We advised the client and sent a warning letter to the landlord.

In a fourth case, a client was sued in eviction by their subsidized landlord. We attempted to negotiate resolution of the complaint, but we were unable to continue representation due to a conflict of interest with a co-tenant.

Legal Information/Advice – 8 Cases

In one case, we provided advice to client on their rights as a tenant.

In a second case, we provided a second opinion to a client facing an upcoming landlord-tenant hearing, who had already retained counsel.

In the third case, we advised a client that a change in property management companies did not pose a threat to their tenancy.

A fourth client was advised that their landlord's proposed security cameras in the common areas of the building did not violate PA law.

We provided advice to a fifth client who feared non-renewal of their lease due to conflicts with their landlord. We advised that the confrontations would provide non-discriminatory reasons for which the landlord could use to terminate the lease.

We provided information about the appellate process to sixth client whose landlord appealed a Municipal Court judgment.

We provided advice to 2 clients facing lockouts, who contacted us too late to appeal a judgment against them for possession. We explained both the pay and stay option and the lockout process.

Referral – 1 Case

In one case, we referred a client to Community Legal Services for representation in small claims court.

Subsidized Housing

3 Cases

Representation and/or Advocacy – 1 Case

In one case, we represented a client who needed assistance with a subsidized housing application. We helped client complete the application and review the lease, when the unit was available.

Legal Information/Advice – 1 Case

In one case, we provided information about requesting repairs and giving notice to move.

No Services Provided– 1 Case

In one case, we were unable to provide a service as a client contacted us seeking assistance with a subsidy transfer, but we were unable to reach out to them after initial follow-up.

Evictions

13 Cases

Representation and/or Advocacy – 6 Cases

In one case, we represented a client after a complaint for eviction was filed against several times. After attending multiple hearings, we negotiated a settlement that allowed the client to move out on her schedule.

We negotiated a move out for a client who was at risk of losing his housing subsidy. By voluntarily moving, the client's subsidy was protected.

We represented a client in Municipal Court and negotiated an agreement with the landlord, who agreed to withdraw the complaint and sparing the tenant a record of eviction.

We represented another client at multiple municipal court hearings and negotiated a settlement, in which the landlord agreed to pay the client to move out of the rooming house. Settlement also vacated the judgment.

We represented a client whose landlord attempted to evict them using self-help. We represented the client in multiple Municipal court cases brought by the landlord. The court ultimately ordered possession for landlord, but the client remained housed for several months as the court cases proceeded.

Finally, a client contacted us on the day of the Municipal Court eviction hearing. We attended the hearing and requested a continuance to prevent a default judgement and give the client time to move.

Legal Information/Advice –3 Cases

In 2 cases, we provided advise to client who received a notice to vacate.

In another case, we provided advice to a client on the eviction process and the procedural position of their case in the Court of Common Pleas.

Referral – 3 Cases

In one case, we referred a client to LASP (Legal Aid of Southeastern Pennsylvania) for assistance with an impending eviction.

In another case, we referred a client to Community Legal Services about their landlord's utility billing practices and a threatened eviction.

In a third case, we referred a client to legal aid in their area, after they received an eviction notice

No Services Provided – 1 Case

In one case, a client was seeking assistance in evicting his roommate. We notified them that we do not assist in evicting people.

Repairs

7 Cases

Representation and/or Advocacy – 3 Cases

In one case, we represented a client who was seeking repairs after their apartment was purchased by a new landlord.

In another case, we assisted a client obtain necessary repairs and negotiate a lease renewal.

Finally, we helped a client get repairs in their apartment by contacting the property manager.

Legal Information/Advice – 4 Cases

In four cases, we provided legal information/advice to clients dealing with repair issues.

In one case, we advised a client on their rights and options if their landlord refused to make repairs.

In another case, a client reached out to us for advice on requesting repairs for their longtime apartment and moving their housing subsidy if the repairs weren't made.

In another case, a client contacted ALPP seeking assistance having repairs made. We prepared a repair demand letter for the client.

Finally, we advised a client whose HVAC system was broken. With our advice, the landlord agreed to repair the system.

Security Deposits

3 Cases

Legal Information/Advice – 2 Cases

In two cases, we provided legal advice or information on security deposits.

In one case, we provided information regarding a security deposit issue. An attorney advised the client that they could pursue small claims court, but that we could not represent them in the matter.

In the other case, a client was seeking assistance in recovering his security deposit from a former landlord after receiving a notice from a debt collector. We reviewed the situation, but the client was unable to provide proper documents.

Referral – 1 Case

In one case, we referred a client to PA Human Relations Commission and HUD for issues concerning getting his security deposit back.

Utilities

2 Cases

Legal Information/Advice – 1 Cases

A client received a shutoff notice for their gas service. We advised the client to apply for LIHEAP and CRP programs.

Referral– 1 Case

In one case, we referred a client to the CLS Energy unit because she was having trouble establishing utility services at her new home because of a past debt.

Lockout

1 Case

Legal Information/Advice – 1 Case

In one case, a former client breached a judgment by agreement and we provided information about the lockout process.