

RYAN A. BIZZARRO, CHAIRMAN

414 MAIN CAPITOL BUILDING
P.O. BOX 202003
HARRISBURG, PENNSYLVANIA 17120-2003
(717) 772-2297
FAX: (717) 780-4767



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COMMONWEALTH *of* PENNSYLVANIA

House Democratic Policy Committee Hearing

Older Pennsylvanians and Coping with an Increasingly Digital World

Tuesday, May 10th, 2022 | 10:00 a.m.

Representative Darisha Parker

OPENING REMARKS

10:00a.m. Rep. Darisha Parker, D-Philadelphia

10:05a.m. Najja Orr, President and CEO
Philadelphia Corporation for Aging

10:35a.m. Angela McIver, CEO
Fair Housing Rights Center

11:05a.m. Wayne Hunter, Founder
Cyberhood, Talkin' Tech with Wayne

11:35a.m. Karima Yelverton, Solicitor
Philadelphia Register of Wills

Remarks and Testimony can be found by scanning the QR Code below:

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Philadelphia Corporation for Aging Testimony

Najjja Orr, President/CEO

Dear Pennsylvania House Democratic Policy Committee:

On behalf of Philadelphia Corporation for Aging (PCA) I would like to thank Chairman Bizzarro, Representative Parker, and other members of the Pennsylvania House Democratic Policy Committee for convening this hearing on Older Pennsylvanians and Coping With An Increasingly Digital World. Thank you for allowing us to shed light on this important issue for older Pennsylvanians. From PCA's perspective there is a lot of work to do here in Philadelphia and across the Commonwealth to ensure all older Pennsylvanians have:

1. the technology to access the internet, which includes both access to broadband and the necessary equipment to connect to the internet, as well as
2. the necessary information and supports to enable older Pennsylvanians to effectively and safely use the internet.

Philadelphia has consistently been among the cities with the highest proportion of impoverished older adults of the 10 largest cities in the United States. As the Area Agency on Aging for Philadelphia County, PCA has coordinated a broad range of services for more than 140,000 older Philadelphians annually to fulfill our mission to improve the quality of life for older Philadelphians and people with disabilities, and to assist them in achieving their maximum level of health, independence, and productivity for nearly 50 years.

The COVID-19 pandemic has greatly accelerated the nation's reliance on technology for business, education, health, and socialization. This rapid transition has also left many of Pennsylvania's most vulnerable without a means to connect and has amplified the necessity of prioritizing equity in internet access.

According to the 2021 Household Internet Assessment Survey conducted by the City of Philadelphia, 33% of older adults in Philadelphia are not subscribed to broadband. Older adults (65 and older) represent nearly half of those without broadband at home in the city.ⁱ Of those not subscribed to broadband, the cost of monthly access was most frequently listed as the reason why, followed closely by being unable to afford a computer. If an older adult resides with family members of other generations, they are likely to have greater access, however this means that those living alone are even more isolated.

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While lack of broadband access is well documented in rural parts of the Commonwealth, the barriers are also strong in urban areas like Philadelphia. For adults age 65 and older in the city, 28 percent of Black non-Hispanic individuals, 37 percent of Latino individuals, and 37 percent of those living below 200 percent of the federal poverty level do not have internet access at home.ⁱⁱ

Older adults require internet access even more since the start of the pandemic for everything from critical access to telehealth appointments to remaining socially connected to family and friends. The 2021 Household Internet Assessment Survey Report revealed that the number of individuals who are “subscription vulnerable,” defined as “low-income households that suffered service interruption during the pandemic for economic reasons and would find it hard to maintain service without the assistance of discount programs,” increased significantly during the pandemic. The survey also revealed that there are many vulnerable households that are not taking advantage of available internet subscription assistance programs. Only 5 percent of older adults have signed up for such programs and only 27 percent of older adults are even aware they exist.ⁱ PCA works hard to disseminate this information, however access barriers for those who are not already connected present additional challenges.

Before the pandemic, 37 percent of older Philadelphians were living alone and at risk of social isolation.ⁱⁱⁱ According to the National Institute on Aging, social isolation increases the risk of depression, heart disease, and comorbidities, as well as increases the risk of cognitive decline.^{iv} As focal points in the community, senior centers play an integral part in engaging active older adults. Approximately 20,000 of Philadelphia’s older adults attend senior centers to connect socially and recreationally, engage in programs that support physical, social, and mental well-being, and receive a nutritionally balanced meal. As a result of the pandemic, senior centers had to make historic changes to meet the needs of older adults. Senior center staff provided wellness calls to participants to ensure safety, provide information and resources, and complete nutrition screenings. Centers are required to, and will continue to, offer virtual programming in addition to resuming some in-person programming based on the ability to safely implement programs. Since March 2020, approximately six thousand older adults attended virtual programming through the senior center network. PCA was also able to distribute 31 iPads to older adults who provide companionship through our Senior Companion program, and recipients will receive training and instruction on how to operate the device. Unfortunately, many older adults do not have access to the internet, laptops or other technology necessary to participate in online programming, further compounding social isolation concerns.

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In conclusion, as you know, the pandemic has greatly accelerated consumer use, acceptance of, and necessity of online services. This public health emergency also has compelled PCA to rethink the way it delivers services and expedited the need for increasing online services and resources. Future generations of older adults will have strong familiarity with and expectations of digital platforms, however, the current generation of older adults, particularly in low-income communities, often do not have access to the technology needed to stay connected. This lack of connection continues to fuel social isolation and diminish access to needed health care and social services.

There are two broad recommendations that we hope this Committee and the General Assembly will consider:

1. **Access:** Increased funding and flexibility is needed to provide older Pennsylvanians in both rural and urban areas with access to high-speed internet, necessary devices, and the education needed to bridge the digital divide in our communities. Requiring available internet subscription assistance programs to provide telephonic support and application processes will also greatly improve older adults' ability to utilize them.
2. **Innovation:** COVID-19 has caused massive disruptions to our Commonwealth ranging from the tragic loss of life and economic dislocations to the way services are delivered and our state budget. It has also forced us all to innovate and rethink the way we provide our services. As we begin to return to some sense of the new normal, we hope there will continue to be a thoughtful review, particularly in the context of statutory and regulatory requirements waived during the pandemic, of what innovations have worked and should be retained. From our perspective, it is important that the focus is not solely on recreating what was before the pandemic, but rather on how we can build something better. For example, we would appreciate action by the General Assembly to ensure permanent continued access to and coverage for telehealth, including behavioral health supports.

I would like to, once again, thank Chairman Bizzarro and Representative Parker as well as the remaining members of the Pennsylvania House Democratic Policy Committee for convening this hearing.

Sincerely,



Najja R. Orr, MBA, DBA
President and CEO

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**Angela McIver, CEO of Fair Housing Rights Center
Testimony on Bridging the Gap for Older Pennsylvanians
May 10, 2022**

Good morning, members of the PA House Democratic Policy Committee, speakers, and guests.

I am, Angela McIver, chief executive officer of the Fair Housing Rights Center in Southeastern Pennsylvania (FHRC). FHRC is a non-profit 501 c 3, full-service, civil rights, Qualified Fair Housing Enforcement Organization (QFHO) whose mission is to ensure equal access to housing opportunities for all persons. FHRC serves fourteen counties that include Southeastern and parts of Central, Pennsylvania. To achieve the mission, the organization educates the public on fair housing/fair lending laws; provides investigative and enforcement services to individuals who have experienced housing discrimination in rental, sales, lending, insurance, and appraisals; works with government to increase the public's knowledge and awareness of fair housing policies; audits the practices of real estate and related-industries; advocates to sustain good or amend harmful housing policies; contracts with housing providers to improve compliance with fair housing laws; monitors the community for compliance with applicable housing laws; contracts with private businesses to conduct fair housing or fair lending investigations; offers HUD certified Housing Counseling services; offers information and referrals on housing related issues, and operates as a trauma-informed service provider.

It is a pleasure and an honor to appear before the PA House Democratic Committee today to testify about how housing can be used to bridge the gap for older Pennsylvanians. As a fair housing advocate of 14 years, I have spent more than twenty-seven thousand three-hundred hours (27,300) hours learning and practicing fair housing as well as examining and working on social issues that intersect with it. Richard Rothstein, the author of [The Color of Law: A Forgotten History of How Our Government Segregated America](#), stated that history is a prerequisite for doing our work. Also, Ms. Ruby Nell Sales is a scholar, social justice activist, public theologian, former member of the Student Nonviolent Coordinating Committee (SNCC), and a marcher in the Selma to Montgomery marches of 1965. Ms. Sales stated that history gives us hindsight, insight, foresight, and meta-sight. Each day, Mr. Rothstein and Ms. Sales inspire me to look behind long enough to learn what has already happened so that I can apply those lessons to fair housing laws that are in effect while also preparing a better pathway in housing for all persons regardless of their personal characteristics.

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In 1933, to rescue homeowners that were about to default, the F.D. Roosevelt Administration, under the New Deal, created the Home Owners Loan Corporation (also known as HOLC). It purchased existing mortgages that were subject to imminent foreclosure and then issued new mortgages with repayment reschedules of up to 15 years (later extended to 25 years). HOLC mortgages were amortized. **This means that each month's payment included some principal as well as interest**, so when the loan was paid off, the borrower would own the home. Thus, for the first time, working- and middle-class homeowners could gradually gain equity while their properties were still mortgaged. If a family with an amortized mortgage sold its home, the equity (including any appreciation) would belong to the family. Another act of HOLC entailed producing color-shaded maps to describe the conditions of communities, also known as redlining maps. Loan underwriters also used the same maps to exclude and/or segregate people based on race, color, religion, and national origin from accessing secured mortgages.

Segregation was or is the process of separating a race, class, religious, or ethnic group from a society's general population in housing, education, employment, military, water fountains, theaters, and other public accommodations. **Segregation in the U.S. has been practiced, for the most part, on African Americans.** Segregation by law, or de jure segregation, of African Americans was developed by the federal government, state legislatures, and local lawmaking bodies. The practices began in southern states shortly after the Civil War. De facto segregation, or inadvertent segregation, continues to exist in varying degrees in both northern and southern states. However, on April 11, 1968, President Johnson signed landmark civil rights law that made discrimination in housing transactions unlawful. Additionally, the law called for fair housing access that was later marked by addressing fair housing discrimination.

This past April 11, 2022, marked the 54th anniversary of the passing of Title VIII of the Civil Rights Act of 1968, also known as the federal Fair Housing Act, as amended in 1988. Under the Act, our nation received protections in housing on the bases of race, color, religion, gender, national origin, familial status, and disability. The Act also covers most housing transactions including sales, rental, lending, insurance, inspections, and appraisals. Additionally, the Act requires the U.S. Department of Housing and Urban Development (HUD) and recipients of its funds to affirmatively further the policies and purposes of the Fair Housing Act, also known as "affirmatively further fair housing" or "AFFH." The obligation to affirmatively further fair housing requires recipients of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Next, the PA Human Relations Act of 1955, as amended in 1997, has housing provisions that are substantially equivalent to the federal Fair Housing Act, but also include the protection of age.

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Therefore, older Pennsylvanians have federal and state civil rights protections that can be used to improve housing conditions that routinely effect the acquisition of affordable and habitable housing, preservation of current housing, anti-redlining by lenders, as well as disability that presents in the form of physical and mental disorders that substantially limits one or more major life activities that improves when more effort is put in to increasing accessibility and granting reasonable accommodations in housing. Certain housing conditions will be discussed later.

Because fair housing laws are anti-redlining measures, it is not a question of should the Commonwealth do more to bridge the gap for older Pennsylvanians in housing? Rather, it is a matter of how the Commonwealth will accomplish this goal. I posit that statement because the Commonwealth and many separate entitlement jurisdictions accept funding from the U.S. Department of Housing and Urban Development, and recipients of federal funds sign certificates and assurances to ensure they will affirmatively further fair housing in Pennsylvania.

Even though fair housing access touches every area of housing, unfortunately, it has been treated as a separate issue. By extracting fair housing access from most areas of housing, fair housing laws have become something that is feared and/or disdained. Hence, fair housing is viewed as a burdensome obligation as opposed to a goal that creates access to and ensures housing for all persons regardless of their personal characteristics.

This hearing presents an opportunity to be encouraged about why it would be a worthwhile investment to voluntarily examine all existing housing policies as well as commit to a review of future housing policies that emanate from this legislature. For example, the Fair Housing Amendments Act (FHAA) directly impacts the work of architects, builders, contractors, developers, and owners who must comply with accessibility requirements for new multifamily buildings with four or more units that were first occupied after March 13, 1991, and that have an elevator:

- Public and common use areas must be accessible to persons with disabilities;
- All doors and hallways must be wide enough for wheelchairs;
- All units must have:
 - An accessible route into and through the unit;
 - Accessible light switches, electrical outlets, thermostats and other environmental controls;
 - Reinforced bathroom walls to allow later installation of grab bars; and
 - Kitchens and bathrooms that can be used by people in wheelchairs.

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Alternatively, if a building with four or more units has no elevator and was first occupied after March 13, 1991, these standards apply to the ground floor units only. Additionally, 62+ housing providers that receive Low Income Housing Tax Credits (LIHTC) must comply with several disability-related requirements that includes but is not limited to Title VIII of the Civil Rights Act of 1968, as amended in 1988, Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964. Absent the support of a fair housing expert, the owner and property management company of 62+ housing, may find it daunting to know and comply with fair housing policies that are routinely violated, which cause pain and suffering in the lives of seniors who are looking to fully use and enjoy their dwellings.

Since joining the Fair Housing Movement, I seldomly encounter a property management company that exhibits a full understanding of civil rights laws in housing. For instance, the Fair Housing Act requires that if you or someone associated with you have a physical or mental disability that substantially limits one or more major life activities, have a record of such a disability, or are regarded as having such a disability, a housing provider may not refuse to let you make reasonable accommodations to your dwelling or common use areas, at your expense, if it may be necessary for you to fully use the housing. Also, the housing provider may not refuse to make reasonable accommodations in rules, policies, practices, or services if it may be necessary for you to use the housing on an equal basis with nondisabled persons. Many seniors – regardless of income, race, education, and former profession, find themselves living in predicaments in which they are fearful of complaining about the need for reasonable accommodations because they worry about retaliation from housing providers and property management companies. When a senior remains silent, their physical and/or mental condition declines at their personal cost and at a social expense. A simple answer to this situation is the use of fair housing legislation, testing, and enforcement to send a clear message to housing providers and property management companies, which is fair housing access is the law.

In 2019, there were 28,880 reported complaints of housing discrimination in the U.S. Of the 2019 complaints, 21,117 (73.12 percent) were processed by fair housing organizations (FHOs), as compared to 1,771 complaints processed by HUD, 5,953 processed by Fair Housing Assistance Program (FHAP) agencies, and 39 cases processed by DOJ. There were 17,010 cases that involved disability or 58.90 percent of all cases. Discrimination against persons with disabilities is the easiest to detect, as it most often takes place as an overt denial of a request for a reasonable accommodation or modification to the housing unit.

In 2019, FHRC processed 190 intakes, referred 36 complaints to HUD and PHRC, filed eight (8) complaints with HUD or PHRC, and achieved seven (7) reasonable accommodations for people with disabilities. Overall, FHRC is doing its best and, it could do more if funded

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adequately, to assist the public that needs fair housing services that are linked to fair housing access or fair housing discrimination for people with disabilities or with other protected characteristics.

On behalf of the Commonwealth, the Department of Community and Economic Development (DCED) is required to AFFH by engaging in several activities including developing and implementing periodic Analysis of Impediments to Fair Housing Choice (AI). I must emphasize the importance of this work because societal changes such as COVID and the economy can alter the way we do business, impact our health, and effect the production and cost of housing. Under DCED, the current AI lists conclusions and recommendations. In the spirit of brevity, I will skip the conclusions; however, here are the five recommendations:

Recommendation #1: Increase public awareness of fair housing rights.

The Commonwealth could strengthen efforts to make the public aware of fair housing rights and further emphasize how reporting fair housing violations can have positive outcomes. This would include providing communities information on fair housing laws and policies, model zoning ordinances, and advice from other communities that have succeeded in overcoming regulatory impediments to fair housing choice.

Recommendation # 2: Improve and Better Utilize Financial Assistance for Housing

High housing costs and cost burdens to both buyers and renters can be reduced through financial assistance programs. The variety and volume of programs available to low/moderate-income persons is large. Realtors, lenders, and rental property owners often do not know what is available and what the qualifications are for the various programs. All could benefit from more information on the availability of home financing and rental subsidy programs. In addition, federally supported programs could be better designed and targeted. The Commonwealth could provide more information and realign its housing finance policies to more directly confront housing affordability issues.

Recommendation # 3: Increase Access to Special Needs Housing

The Commonwealth should gather more information of this emerging impediment and determine to the extent to which the available supply of supportive housing is limited. Further investigation may also be necessary of potential discriminatory practices reported in recent complaints. Promoting best practices for alternative types of special needs/elderly housing and considering policy changes may be in order. Shaping community attitudes as described in the first recommendation may also be necessary to confront this barrier.

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Recommendation # 4: Strengthen Linkages between Transportation and Jobs

As stated in the findings, inadequate access to and from employment centers and the availability of job opportunities where people live remain a barrier to fair housing. To address this impediment to fair housing choice, the Commonwealth can strengthen linkages between transportation and jobs. This would first entail examining linkages between transportation, jobs, and housing. Incentives for transit-oriented housing development in Pennsylvania have resulted in better linkages between transportation and jobs. Various state agencies could examine similar incentives that connect to jobs as well. Efforts could be made to link all three elements using those same incentives, jobs transportation and housing. The State government could also explore and identify regional development opportunities that locate and provide access to jobs near where people live then share success stories with local governments.

Recommendation #5: Strengthen Local Zoning Ordinances

The Commonwealth could provide assistance to local governments to strengthen zoning ordinances to further fair housing. This could include help to identify and remove regulatory impediments, to promote fair share principles articulated in the Municipalities Planning Code and in case law, and to enact regulatory best practices that further fair housing such as inclusionary zoning provisions. Also, the Commonwealth could consider amendments to the Municipalities Planning Code to provide authority, currently lacking, for enactment of mandatory inclusionary zoning provisions.

FHRC's Recommendations:

Aside from recommendations that emerged during the production of DCED's AI, FHRC hopes to work more closely with DCED. FHRC also hopes that this body of legislators will embrace and promote all the work of fair housing advocates, housing counselors, and others who serve seniors each day by agreeing to work on the following additional fair housing recommendations:

1. Examine all existing housing policies as well as commit to a review of future housing policies that emanate from this legislature
2. Allocate annual funding for fair housing education, testing, and enforcement that will be dedicated to qualified fair housing enforcement organizations whose mission and primary program entails advancing equality and/or equity in housing while promoting fair housing laws
3. Educate seniors about the pros and cons of reverse mortgage to improve outcomes that also impact relatives and marginalized neighborhoods

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4. Educate seniors about fair lending laws to prevent lending steering, predatory lending, and scams that are forms of discrimination
5. Educate seniors about the intersection of fair housing and tangled titles as people that live in redlined neighborhoods are more likely to lose their legacy which contributes to a decline in generational wealth
6. Require PHFA to contract with QFHOs to provide in-depth fair housing education and guidance that covers every aspect of its products, services, and funds that is accessed by individuals and businesses. For instance, because PFHA authorizes Low-Income Housing Tax Credits (LIHTC), require that it implements annual Fair Housing Consumer Rights for consumers, which includes retaliation, and Fair Housing Compliance for key staff at 62+ communities; also, implement an annual Fair Housing Accessibility Survey to track the number of requests for approvals of reasonable accommodations and modifications and report outcomes to this Committee annually
7. Require key staff at banks and other mortgage lenders doing business in the Commonwealth to contract with a QFHO to schedule annual Fair Lending and Appraisal training
8. Develop annual state-wide Fair Housing Compliance training for members of architect, realtor, and housing associations. Also, report outcomes to this Committee annually
9. Schedule annual Fair Housing/Fair Lending training for members of PA legislative committees that oversee housing and related activities
10. Require that DCED, HHS, and fair housing organizations work more closely to address physical and mental disorders that are reported by complainants of housing discrimination at the time that complainants file complaints and when case-related resolutions are achieved.

Thank you for your time and attention.

Sincerely,

Angela McIver



Talking Tech w/ Wayne, Inc.

8616 Thouron Avenue

Philadelphia, Pa 19150

(215) 935-4000

May 6, 2022

Mr. Carlson

As requested I write this to introduce myself and tell a little about my nonprofit, our mission and our initiatives thus far. My name is Wayne Hunter and I've owned a technical solutions company providing a wide range of technology related products and services to small to medium sized businesses in the Tri-State area and beyond, since 1995. About 4 years ago I noticed how much I was using tech in my everyday life. Being of a certain age two connected but conflicting thoughts occurred to me, the first was that we were the first aging generation privy to the host of advantages that technology offers and the second was that we were also the generation least likely to reap those very same rewards. With that in mind Talking Tech w/ Wayne, Inc. was born. In 2019 I started in-person discussions with seniors in several Oak Street Health facilities in Philadelphia We continued through 2019 and of course in 2020 the pandemic stuck. I then pivoted and began producing a TV show that addressed a range of tech concerns and issues particularly as they applied to older adults. That same year I began taking calls on my 24/7 helpline (215) 406-HELP. Staffed by myself and other concerned techs we fielded calls and helped folks find their way through tech challenges many magnified by this health emergency. I also put up a website and launched a Facebook group to further support my mission and my folks. Too often seniors are given a how-to and basically left to fend for themselves, I felt it was important to create an ecosystem of information and support. In September of 2021 we recommenced our in-person groups stronger than ever. Partnering with such community heavy weights like Center in the Park and Black Clergy of Philadelphia and Vicinity, Inc. along with health care giants Highmark Whole Care (formally Gateway Health) and Oak Street Health we continue to fight the good fight against the "Senior Digital Divide".

Respectfully,

Wayne Hunter, Director

Talking Tech w/ Wayne, Inc.

**REGISTER OF WILLS
SOLICITOR TESTIMONY
MAY 10, 2022**

INTRODUCTION

Good morning, State Rep. Parker and members of the General Assembly. I am Karima Yelverton, Assistant Solicitor to the Hon. Tracey L. Gordon, Register of Wills and Clerk of Orphans' Court. I am pleased to provide testimony on the Register of Wills office and the services ROW provides to older residents.

SERVICES

The Register of Wills office provides the following services in Philadelphia County: probate estates; collect inheritance tax; assign estate executor/administrator privileges; preserve/protect genealogical records and archives; and, set public policy to assist in the protection of the generational wealth of Philadelphia residents.

TANGLED TITLES

At the request of Register Gordon, the Pew Charitable Trust conducted a study of Tangled Titles in Philadelphia. The Pew study found that at least 10,000 residential properties are affected by Tangled Titles, meaning that over 10,000 families are affected by this issue. The highest concentrations of Tangled Titles are in the North, West, and Southwest parts of Philadelphia, and Tangled Titles lock up over \$1.1 billion in equity that cannot be accessed by residents due to lack of proper title. In addition, Tangled Titles prevent access to city services, including the Basic Systems Repair Program (BSRP) which assists residents with repairs to important home systems to prevent deterioration of Philadelphia's housing stock. A University of Pennsylvania study found that crime on a given block decreases by 22% when a single home on that block receives repairs as a result of a receipt of a BSRP grant.

PROBATE DEFERMENT INITIATIVE (PDI)

Tangled Titles in our communities often result due to lack of estate planning education. ROW has discovered that many of the properties affected by Tangled Titles are inhabited by senior citizens who just maintained the properties after the record owner died and never changed the title over to the owner's heirs. Having recognized the problems caused by Tangled Titles and the lack of resources to combat the issue, Register Gordon created the Probate Deferment Initiative, or PDI program, to assist residents with the probate process when they lack funds to pay for probate. The PDI program defers probate fees for those who are income eligible and refers them to legal services organizations that assist with the probate process and creation of a new deed for the property at issue. Once the new deed is created, ROW has partnered with Commissioner James Leonard of the Department of Records who has agreed to waive the fees associated with recording a new deed for the property. Once the new deed is recorded, the legal services organization will then assist the PDI applicant with writing a will, to prevent the cycle of Tangled Titles from continuing. Since the inception of the PDI program, we have assisted 17 families with untangling their titles.