

## Legislation Details (With Text)

**File #:** 080791      **Version:** 0      **Name:**  
**Type:** Bill      **Status:** LAPSED  
**File created:** 10/23/2008      **In control:** Committee on Finance  
**On agenda:**      **Final action:**

**Title:** Amending Chapter 19-3100 of The Philadelphia Code, entitled "Attorney Fees In Collection Matters; Retention Of Private Attorneys," by providing for a schedule of contingency fees to be assessed, relating to collection expenses incurred in the collection of delinquent tax and other municipal claims; authorizing such expenses; and making certain related technical changes, all under certain terms and conditions.

**Sponsors:** Councilmember Tasco

**Indexes:**

**Code sections:** 19-3100 - Attorney Fees in Collection Matters; Retention of Private Attorneys

**Attachments:** 1. Bill No. 08079100.pdf

Date	Ver.	Action By	Action	Result	Tally
12/3/2008	0	Committee on Finance	HEARING NOTICES SENT		
12/3/2008	0	Committee on Finance	RECESSED		
12/3/2008	0	Committee on Finance	HEARING HELD		
10/23/2008	0	CITY COUNCIL	Referred		
10/23/2008	0	CITY COUNCIL	Introduced	Pass	

Amending Chapter 19-3100 of The Philadelphia Code, entitled “Attorney Fees In Collection Matters; Retention Of Private Attorneys,” by providing for a schedule of contingency fees to be assessed, relating to collection expenses incurred in the collection of delinquent tax and other municipal claims; authorizing such expenses; and making certain related technical changes, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Chapter 19-3100 of The Philadelphia Code is amended to read as follows:

CHAPTER 19-3100. ATTORNEY FEES *AND COLLECTION COSTS* IN COLLECTION MATTERS;  
RETENTION OF PRIVATE ATTORNEYS *AND COLLECTION AGENCIES*.

§ 19-3101. Schedule of [Attorney] *Charges, Expenses, Commissions and Fees*.

(1) Subject to revision from time to time pursuant to subsection 19-3101(2), the following schedule [of attorney fees] shall apply to the City’s imposition of attorney fees *and other charges, expenses, commissions and fees* under [Section] *Sections 1 and 3(a)* of the *Act of May 16, 1923 (P.L. 207, No. 153)*, as amended, referred to as the *Municipal Claims and Tax Liens Act (53 P.S. §§ 7101, 7106(a))*, [as amended,] in connection with the collection of delinquent tax and other municipal claims:

(a) In a matter handled by Law Department attorneys, attorney [fee] *fees of up to six percent*

(6%) of the amount of the delinquent claim shall be imposed;

(b) In a matter for which a private attorney has been retained by the Law Department on a contingency fee basis, attorney [fee] *fees of up to* eighteen percent (18%) of the amount of the delinquent claim shall be imposed; and

(c) In a matter for which a private attorney has been retained by the Law Department on a non-contingency basis, attorney fees at a rate of *up to* seventy-five dollars (\$75) per hour shall be imposed.

*(d) In a matter for which a private collection agency has been retained by the City on a contingency fee basis, collection fees of up to sixteen percent (16%) of the amount of the delinquent claim shall be imposed.*

(2) The City Solicitor may from time to time by regulation revise the schedule of attorney fees *and other charges, expenses, commissions and fees* set forth in subsection 19-3101(1) to ensure that the City is fully reimbursed for the reasonable cost of retaining attorneys *and collection agencies* to collect delinquent accounts pursuant to the Municipal Claims and Tax Liens Act. Such regulations may for such purposes classify collection matters differently than the classification set forth in subsections 19-3100(1)(a) through [(c)] *(d)*. The City Solicitor shall notify the Council of any such proposed regulations by providing a copy to the Chief Clerk of Council at the same time the proposed regulations are filed with the Department of Records in accordance with subsection 8-407(a) of the Philadelphia Home Rule Charter.

§ 19-3102. Retention of Private Attorneys *and Collection Agencies* in Collection Matters.

(1) When the Law Department retains private attorneys *or collection agencies* to handle to completion the collection of delinquent taxes and municipal claims, and for related matters, such contracts may be made on a contingent fee or hourly rate basis and shall be for such term and contain such conditions as the City Solicitor deems necessary or desirable in the interest of the City.

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**Explanation:**

[Brackets] indicate matter deleted.  
*Italics* indicate new matter added.