

Legislation Details (With Text)

File #: 210396 **Version:** 0 **Name:**

Type: Resolution **Status:** IN COUNCIL - FINAL PASSAGE

File created: 4/29/2021 **In control:** CITY COUNCIL

On agenda: **Final action:**

Title: Calling on the Sheriff of the City of Philadelphia to request an Order from the President Judge of the Philadelphia County Court of Common Pleas of the First Judicial District of Pennsylvania to temporarily stay all mortgage and tax foreclosure sales.

Sponsors: Councilmember Parker, Councilmember Johnson, Councilmember Gauthier, Councilmember Henon, Councilmember Bass, Councilmember Brooks, Councilmember Domb, Councilmember Gilmore Richardson, Councilmember Green, Councilmember Gym, Councilmember Thomas, Council President Clarke

Indexes:

Code sections:

Attachments: 1. Resolution No. 21039600

Date	Ver.	Action By	Action	Result	Tally
4/29/2021	0	CITY COUNCIL	Introduced and Ordered Placed On Next Week's Final Passage Calendar		

Calling on the Sheriff of the City of Philadelphia to request an Order from the President Judge of the Philadelphia County Court of Common Pleas of the First Judicial District of Pennsylvania to temporarily stay all mortgage and tax foreclosure sales.

WHEREAS, On March 10, 2021, the Philadelphia Sheriff's Office announced that it had contracted with the online auction company Bid4Assets (Bid4Assets.com) to resume sheriff sales of Philadelphia property subject to mortgage and tax foreclosures; and

WHEREAS, In April 2021, the Sheriff's Office conducted the first mortgage and tax sales since the beginning of the COVID-19 pandemic via the Bid4Assets platform; and

WHEREAS, There are currently dozens of mortgage foreclosure sheriff sales and tax foreclosure sheriff sales scheduled to go forward in May of 2021, and thousands more in the months that follow, including numerous owner-occupied properties, properties with tangled titles, and community gardens; and

WHEREAS, On April 22, 2021, City Council's Committee on Law & Government held a hearing to examine the Sheriff's decision to resume sales via the virtual Bid4Assets platform; and

WHEREAS, Homeowner advocates expressed concern at the hearing that owner-occupied properties were listed for both mortgage and tax sales in April 2021 despite repeated public statements that no owner-occupied properties were scheduled to be sold; and

WHEREAS, As a result of the COVID-19 pandemic, over 10 million homeowners nationwide are unable to remain current on their mortgage payments, and homeowners of color make up a disproportionate share of those whose loans are delinquent or in default. Philadelphia residents are also experiencing hardship in paying their property tax and utility bills as a result of the COVID-19 pandemic and many have had to prioritize other

expenses; and

WHEREAS, Despite federal efforts to provide homeowners in need with financial assistance, there are grave concerns that many Philadelphians will “fall through the cracks” and face losing their homes in the next year or so; and

WHEREAS, Community members and advocates also spoke to the fact that the sheriff sale process was already confusing to the layperson, and expressed concerns that they may effectively be “shut out” of the new, virtual platform either due to digital divide issues or because they do not have the financial means to access the sheriff sales; and

WHEREAS, Several community members and advocates further testified about their concerns that the change to virtual sales may result in bulk buyers and out-of-town investors purchasing parcels and properties, which may have an adverse effect on former owners as well as the surrounding community; and

WHEREAS, It is the duty of this Body to protect the citizens and neighborhoods of Philadelphia, and this Body recognizes that proceeding with sheriff sales using the Bid4Assets online platform will have a detrimental, and perhaps devastating, effect on both; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Calls on the Sheriff of the City of Philadelphia to request an Order from the President Judge of the Philadelphia County Court of Common Pleas of the First Judicial District of Pennsylvania to temporarily stay all mortgage and tax foreclosure sales.