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LAND BANK TESTIMONY
for
SENATE URBAN AFFAIRS and HOUSING COMMITTEE
Pennsylvania Land Bank Act

Good morning, Chairmen Pittman & Saval and members of the Senate Urban Affairs & Housing Committee.

My name is Angel Rodriguez, the Executive Director of the Philadelphia Land Bank ("Land Bank") and Deputy Executive Director of the Philadelphia Redevelopment Authority. I am here to testify on possible changes to the Pennsylvania Land Bank Act ("the Act") & Act 135 Abandoned and Blighted Property Conservatorship Act that would increase the efficiency and effectiveness of Land Banks across the Commonwealth.

In 2012, the General Assembly through the Pennsylvania Land Bank Act, found that land banks can address the overriding public need to confront the problems caused by vacant, abandoned, and tax-delinquent properties and that land banks can enable municipalities & counties to facilitate the return of vacant, abandoned, and tax-delinquent properties to productive use.

The primary way land banks accomplish this goal is by consolidating, acquiring, and holding properties in reserve for future public needs and priorities or holding properties for sale until market conditions improve. This requires land banks to hold and manage properties for extended periods to mitigate blight. The extend period needed subjects land banks to operational issues, increased maintenance costs, claims of adverse possession and conservatorship. For these reasons the Philadelphia Land Bank advocates the following amendments to PA.C.S. 68 - the Pennsylvania Land Bank Act ("the Act") and Act 135 Abandoned and Blighted Property Conservatorship Act ("Conservatorship Act").

In *City of Philadelphia v. Galdo*, the Commonwealth Court recently held that a municipality is not immune to claims of adverse possession. This would likely hold true for land banks as well. Subjecting a land bank to claims of adverse possession runs counter to the purpose of a land bank. We would recommend an amendment to the Act clarifying this matter and provide that a land bank would be immune to claims of adverse possession.

Commensurately, we recommend an amendment to the Conservatorship Act providing that land banks, redevelopment authorities and other municipal and county agencies would be immune to claims of conservatorship for agency held assets.



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As a further step, we would also request an amendment to the Act changing the status of land banks to that of Redevelopment Authorities, an agency of the Commonwealth of Pennsylvania. This change would allow a municipality or county to transfer property to a land bank without having to comply with any municipal or county requirements or laws to the contrary and to a redevelopment authority without the need for a development agreement. This will streamline the transfer of properties between land banks and municipalities and redevelopment authorities. This will allow land banks to more easily build-up their land inventory and fulfill their promise of returning blighted and under-productive properties to more productive use.

During this historic pandemic, the Philadelphia Land Bank was able to conduct business only due to an executive order allowing the Land Bank Board to meet virtually. With the lifting of the executive order, and as we work towards normal operations amid the COVID variants, we would ask the General Assembly to amend the Act to allow Land Bank Boards to continue to meet virtually. As an unintended consequence, we have found that the use of technology has increased public participation and attendance by Board members.

Finally, given the extended periods of time required for land banks to hold and manage properties prior to disposition, any financial assistance the General Assembly could provide to the daily operations of land banks would be greatly appreciated.

I want to thank Chairmen Pittman & Saval and the members of the Senate Urban Affairs & Housing Committee for the opportunity to address you on this very important subject.