

November 5, 2021



The Honorable Max Baer
Chief Justice, Supreme Court of Pennsylvania
c/o Office of the Prothonotary
468 City Hall
Philadelphia, PA 19107

Re: **Response in Support of Pennsylvania Supreme Court Order No. 21 EM 2020
Authorization for Continuation of the Philadelphia Municipal Court Landlord-Tenant
Diversion Program**

Dear Justices of the Supreme Court of Pennsylvania,

I am writing to request your ongoing support for Philadelphia's nationally renowned use of Alternative Dispute Resolution in eviction proceedings. I appreciate your leadership in continuing to extend authority for Philadelphia to require landlords to apply for rental assistance and participate in Philadelphia's pre-filing Eviction Diversion Program, most recently via your Order dated October 28, 2021, No. 21 EM 2020. I would like to request that you continue to extend this authority beyond November 30, 2021. I further request that you grant this authority to other counties, so that residents there can also benefit from collaboration between the courts, rental assistance, and other stabilizing measures. To do so, I respectfully request that you issue a rule that allows a local county's President Judge to issue their own local rule creating or coordinating with Alternative Dispute Resolution (ADR) procedures in eviction proceedings, if they so choose.

Since its inception, I have volunteered for the Eviction Diversion Program, and I have mediated dozens of agreements between landlords and tenants. By fostering a neutral space where the parties can talk about the situation, the parties usually can come to a mutually advantageous outcome without involving the court. Sometimes, agreements do not rely on funding from any outside source but were extensions for paying back rent on installments or the tenant paying rent once the landlord performed necessary repairs. As a general rule, Landlords do not want to evict tenants. Yet, the prior system, which did not require mediation, encouraged landlords to file evictions to get tenants to start the ball rolling in case tenants could not consistently start paying their rent. The Eviction Diversion Program offers a cost-effective solution as it relies primarily on volunteers and creates better outcomes overall for both landlords and tenants.

Philadelphia has avoided the wave of evictions predicted. Eviction filings in Philadelphia are less than a third of what they were pre-pandemic. In addition, Philadelphia currently leads the nation

in distributing federally allocated rental assistance with over \$212 million distributed to over 34,700 households. The program has brought positive attention to both the city and the state and landlords and tenants, and the court will continue to benefit by extending it.

Thank you for your attention and considering this letter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jason W. Rubin", with a long horizontal flourish extending to the right.

JASON W. RUBIN