



Washington Avenue to Tasker Street & 6th Street to Broad

Zoning Committee

April 23, 2014

Jared Klein
Chair

David Fortino

Phyllis Fox

Tina Geary

Mike Gumbel

Mike Martella

Jay Stuart

Gary Tumolo

The Honorable Stewart Greenleaf
Chairman, Pennsylvania Senate Judiciary Committee
711 North York Road
Willow Grove, Pa. 19090

RE: **Senate Bill 1095**

Dear Sen. Greenleaf:

My name is Jared Klein and I write on behalf of the Passyunk Square Civic Association, of which I am the Zoning Chair. We are a non-profit, volunteer-led civic association that covers Washington Avenue to Tasker Street from Broad Street to Sixth Street.

As you know, Philadelphia recently revamped its zoning code, giving Registered Community Organizations prominent placement in the process. These RCO's, which are primarily civic groups and community development corporations, are charged with reviewing zoning applications and providing recommendations to the Philadelphia Zoning Board of Adjustment. However, the integrity of the RCO process and the very existence of the civic groups themselves are threatened by the proliferation of SLAPP lawsuits throughout Pennsylvania.

The purpose of these SLAPP suits is not to seek legal redress for an injury. Instead, these suits are specifically designed to allow special interests with resources to silence the voices of volunteer organizations either through the punitive financial cost of legal defense or through civic inaction caused by such frivolous litigation. A prime example of the detrimental effect of SLAPP suits is the Old City Civic Association, which disbanded after 40 years of dedicated service as a direct result of being rendered uninsurable due to SLAPP suits. Every civic association in Philadelphia, including ours, viewed these developments with concern and the possibility of a SLAPP suit leaves a dark cloud over civic activities throughout Philadelphia.

S.B. 1095 will empower civic associations and individuals to engage in civic dialogue and work to make our Commonwealth stronger, and to do so without the fear of punitive retribution, by penalizing those who initiate SLAPP suits. The proposed Bill, as written, addresses many concerns shared by RCO's citywide. We would, respectfully, suggest that prior to final passage the Bill could benefit from a more

defined statement of purpose, the inclusion of an Interlocutory Appeal provision, enhancement of the damages section to some measure of punitive damages, clarification of the standards used to rule on Section 8340.3(d) Motions, and a provision of the allowance of counterclaims.

None of those comments or suggestions should detract from our Association's thanks for addressing this important issue and general support of S.B. 1095. I would appreciate the inclusion of this letter in the record created by the Judiciary Committee.

Sincerely,

/s/ Jared N. Klein

Jared Klein, Chairman
PSCA Zoning Committee

cc Sen. Larry Farnese
 Angel D'Ippolito
 Pam Zenzola