



**Testimony of Drew Miller, Homeownership and Consumer Rights Unit, Community Legal Services to PA House of Representatives Housing and Community Development Committee on HB 693**

Good morning Chairman Sturla and committee members. My name is Drew Miller, and I am a paralegal at Community Legal Services in the Homeownership and Consumer Rights Unit. I am pleased to testify today in support of the Residential Construction Protection Package and, in particular, in strong support of HB 693, the Adjacent Neighbor Bill of Rights Act.

As the committee knows, Community Legal Services is a non-profit legal aid office that provides free legal representation to thousands of low-income Philadelphians every year. We represent clients with a variety of civil legal matters, including homeownership issues.

Since the summer of 2019, CLS has experienced a significant increase in clients seeking assistance because construction in their tight neighborhoods was damaging their own homes. Too often, this demolition and construction is done carelessly and by less than reputable contractors. All the while, neighboring homeowners are largely left out of the process until something goes wrong.

Foundations have been undermined. Party walls were damaged, partially collapsed, and left exposed to water intrusion. Contractors trespassed on the next-door property without permission, damaging roofs, porches, and backyards in the process. Next-door homes shifted so windows and doors no longer opened and closed properly. Brick facades tumbled off homes. In some of the worst cases, damage from adjacent construction resulted in the evacuation and condemnation of the next-door home for safety reasons.

Innocent long-time homeowners often experience months of harassment and have even been forced out of their homes. Because many long-time homeowners do not have homeowners' insurance or have insurance policies that preclude claims for damage caused by negligent adjacent construction, the only recourse is to hire an attorney and sue for damages. For many, however, this option may be unaffordable.

After decades of disinvestment in some communities, construction in residential neighborhoods may create needed housing and other amenities. However, the development must be done carefully and conscientiously to limit harm to existing neighbors and neighborhoods.

Working with our clients, CLS has found that early and frequent communication between builders and the neighbors encourages the safest outcomes. House Bill 693 will give adjacent



homeowners the opportunity to know their rights before the construction begins. HB 693 will provide adjacent homeowners with the right to a survey of their home when a builder plans to dig under a homeowners' foundation or encroach on the homeowners' property. It will also help builders and adjacent homeowners come together to negotiate access agreements.

The Adjacent Neighbor Bill of Rights Act is an opportunity to bring together a broad coalition of support from the building industry and various community stakeholders to improve outcomes by providing better access to needed information and ensure the protection of adjacent homes.

On behalf of CLS and our clients, we want to thank State Representative Joe Hohenstein for introducing this important and timely legislation. We look forward to working with the Committee to address any concerns from stakeholders and to help guide HB 693, and the other bills in this package, forward.

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