

DESIGN
ADVOCACY
GROUP

of Philadelphia

November 15, 2005

Members of the Pennsylvania Senate
Harrisburg, Pennsylvania

Re: Senate Bill 881

Dear Senators,

We are writing to express our opposition to Senate Bill 881 that prohibits the use of eminent domain for private development.

We acknowledge that the intent of the legislation appears sound, namely, that private property that is either occupied, in good repair and/or up-to-date on its taxes should not be subject to eminent domain if the purpose is to transfer the property to another private developer. Though unstated, that goal is implicit in the various exceptions to the prohibition that are noted in the legislation.

However, our concern stems from the reality that there exist numerous situations throughout the City of Philadelphia, and presumably throughout the Commonwealth, where this law will be used to block legitimate redevelopment that serves the broadest interests of the community, not simply the interests of private developers.

The uses of eminent domain reach across a wide spectrum of circumstances, from properties in a state of neglect or disrepair to properties that are actively in use, but now within a context of changing circumstances. We share your concern especially for those with homes or businesses in the latter category, but wish to point out that current regulations provide for a carefully monitored due process and ultimately, compensation at fair market value.

When used properly - and we believe that eminent domain powers have been used properly in the vast majority of cases - it is an effective tool that can help cities and towns redevelop sensibly and produce more livable and sustainable communities for the citizens of the Commonwealth.

We urge you to reconsider this legislation and let municipalities retain the use of eminent domain powers, subject to the numerous safeguards against its abuse that currently exist.

Sincerely,

William Becker, Chairman

Alan Greenberger, Vice Chairman