



# THE PORTNOFF REPORTER

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## Portnoff Law Associates Receives Ringing Endorsement



**Portnoff Law Associates is honored to have recently received the following unsolicited endorsement from a happy client:**

“I hope more school districts take the initiative to use the Municipal Claims and Tax Liens Act and the services of an outside collection agency to improve their collections and ultimately lower delinquency rates. I know from personal experience with Portnoff Law Associates that our move to your firm in 2005 has improved collections, reduced delinquencies and saved the taxpayers of the North Pocono School District millions of dollars by keeping our millage rates lower than would be if we continued using the county to collect delinquent real estate taxes.”

-Dennis Cawley, Business Manager of the North Pocono School District

### Collection Issues

Do you have any specific collection issues that you would like to see discussed in our next edition of *The Portnoff Reporter*? Send your issue to Susan Anderson at sanderson@portnoffonline.com.

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## THE PORTNOFF REPORTER

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### In Print

Portnoff attorney Kevin Buraks penned an article titled “Delinquent Real Estate Tax Collections – Know Your Options!” that was published in the September 2015 edition of the Pennsylvania Association of School Business Officials’ publication, the *PASBO Report*.

### In Person

Nov  
2015

Portnoff attorneys Michelle Portnoff and Kevin Buraks were asked to speak to school district business managers at the monthly meetings of the Montgomery County Intermediate Unit and the Chester County Intermediate Unit.

Portnoff representatives also attended the Delaware Valley Association of School Business Officials (DVASBO) conference at the Westover Country Club in Jenkintown, PA.

April  
2016

Portnoff Law Associates has been asked to present a workshop titled “*Delinquent Township Collections – Collect More For Less*” at the Pennsylvania State Association of Township Supervisors (PSATS) 94<sup>th</sup> Annual Educational Conference and Trade Show in Hershey, PA. The workshop will be on **Monday, April 18** at the Hershey Lodge.

Portnoff representatives will be attending the Government Finance Officers Association of Pennsylvania (GFOA-PA) 30<sup>th</sup> Annual Conference in State College, PA. Portnoff attorneys Michelle Portnoff and Kevin Buraks will be presenting a seminar titled “*Building Blocks of a Successful Collection Strategy*” on **Wednesday, April 27** from 9:30 – 10:20 a.m. at the Penn Stater Conference Center Hotel.

If you are interested in having Portnoff Law Associates present at your professional association’s next conference or event, please contact us at (800) 561-7989.

## Legislative Update

This year, the Pennsylvania legislature is a whopping 201 days late (as of the date of this publication) in ratifying the state budget. Unpredictable delays such as this place local municipalities in a very difficult situation, given that they do not have the luxury of putting off the ratification of their own budgets to determine the local financial impact of the state budget. Even worse, without the necessary state funding, municipalities are often forced to borrow money to cover operating expenses. Every year, it seems that local municipalities have less and less control over their own financial well-being. One decision that local municipalities do retain control over is the right to choose who will collect their delinquent real estate taxes and municipal fees, and the laws under which collections will be made. By hiring a private collector, municipalities retain better control over their financial destiny, with the ability to set collection parameters and even provide for extended payment terms for those constituents suffering financial hardship. For over twenty-five years, Portnoff Law Associates has helped local municipalities enhance their revenue stream and retain local control by collecting their delinquent real estate taxes and municipal fees.

### New PLA Attorneys

Portnoff Law Associates is proud to announce that Jill Wojdyla has joined the firm in our Norristown office and David Dugan has joined the firm in our Allentown office.

Originally from Syracuse, New York, Jill graduated from Syracuse University College of Law and practiced law in Philadelphia prior to joining the firm. Jill joins the legal department as the primary attorney for PLA clients in Allegheny, Beaver, Clarion, Delaware, Lawrence, McKean, Mercer, Washington and Westmoreland Counties.

An Allentown native, David graduated from Villanova Law School and practiced law in the Lehigh Valley prior to joining PLA. As a member of the litigation department, David will oversee the firm’s motion practice in Carbon, Lackawanna, Lehigh, Luzerne, Northampton, Schuylkill, Susquehanna and Wayne Counties.

### Looking for Fun?

The **Lancaster Roots and Blues Music Festival** is scheduled for February 26-28 in historic downtown Lancaster. This 3-day annual music festival features over 50 artists appearing on 11 indoor stages. The festival website is located at: <http://lancasterrootsandblues.com/>.

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## Customer Service 101

Creating a hardship program for residents in financial need is an excellent way to build positive constituent relations. The concept is to allow for extended payment terms for those with a legitimate financial hardship. When creating a hardship program, we recommend that eligibility be permitted only for property owners who reside at the property address and not for businesses or owners of commercial or rental real estate. Consistency is extremely important when creating the parameters for the program, so that all residents are treated uniformly for purposes of eligibility and their treatment thereunder. We recommend creating a formal hardship application that must be fully completed for entry into the program.

Our firm uses a three-page application that requests information about the property owner's income, assets, expenses and other factors affecting their ability to pay. Hardship consideration is typically reserved for property owners with low monthly income, property owners who have multiple dependents and property owners whose fixed monthly expenses consist of high medical expenses, high monthly mortgage and utility payments, or other expenses that represent a significant financial hardship. High monthly payments for a new car, high credit card or loan debt, high monthly cable, cell phone or internet payments, and other such expenses not representing "necessities" should not qualify for hardship consideration. Extended payment terms can be offered for those residents who qualify for hardship status. In the most extreme hardship situations, the municipality may want to simply place a lien on the property to preserve the claim and cease active collections for the near future.

### By the Numbers

78	Number of Portnoff employees
11	Number of full-time attorneys employed by Portnoff
50	Number of employees who have been with Portnoff for 5+ years (64%)
25	Number of employees who have been with Portnoff for 10+ years (32%)
25	Number of years Portnoff has successfully represented Pennsylvania municipalities

## Bankruptcy Corner

Are you interested in finding more information about a debtor's bankruptcy case than from what you can decipher from the debtor's bankruptcy plan and schedules? Many creditors are unaware of their ability to attend a formal meeting of creditors in the debtor's bankruptcy case. This meeting is often referred to as the "341 meeting," referencing the Bankruptcy Code section (11 U.S.C. § 341) which requires such meeting. The creditors' meeting must be scheduled by the United States Trustee's Office within a reasonable time after the debtor's bankruptcy case is filed. The purpose of the meeting is to obtain information about the debtor's bankruptcy case and the debtor's assets, liabilities and financial affairs. The creditors' meeting is not a hearing, as it is typically held at the Trustee's office, without a judge in attendance. After the debtor is questioned by the Trustee, creditors are usually permitted to ask a few questions of the debtor.

### Note of Appreciation

Who says that everyone hates the municipal collector? Portnoff Law Associates often receives thank you notes from property owners who appreciate the manner in which they were treated during the collection process. The following is a note of appreciation that we recently received:

**Thank you for your patient understanding through my chemo reaction. It was tough.**

A property owner from  
Allentown, PA

### Hiring Portnoff

Portnoff Law Associates represents over 125 municipalities, school districts and municipal authorities in 23 counties throughout Pennsylvania. From smaller clients in rural parts of the state to larger clients in more urban areas, Portnoff's proven collection process can be tailored to meet your specific collection needs. We are available to meet with your staff or attend an executive session or public meeting to discuss the benefits of our services with your elected officials. If you are interested in hearing more about how Portnoff can help, please contact us at (800) 561-7989.

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## **YOUR TRUSTED LEGAL TEAM FOR COLLECTING DELINQUENT REAL ESTATE TAXES AND MUNICIPAL FEES**

Portnoff Law Associates has 25 years' experience collecting delinquent:

- Real Estate Taxes
- Municipal Service Fees
- Abatement of Nuisance Fees
- Sewer Fees
- Water Bills
- Trash Fees



Michelle Portnoff, President  
Portnoff Law Associates

### **PORTNOFF LAW ASSOCIATES REPRESENTS OVER 125 MUNICIPALITIES, SCHOOL DISTRICTS AND MUNICIPAL AUTHORITIES IN 23 PENNSYLVANIA COUNTIES**

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