



# THE PORTNOFF REPORTER

SPRING 2022

## Balancing the Interests of ALL of your Constituents

Let's face it, these are difficult times. Over the last two years, we all have faced issues that we have never seen before. Despite the global challenges, Pennsylvania municipalities and school districts need to continue to serve their constituents. Water and sewer services need to be provided, trash needs to be collected, roads need to be maintained, and schools need to continue to educate their students. While these difficult times have caused additional hardships for a sizable percentage of the population, municipalities and school districts need to continue to bring in revenue to fund their operations; the cost of which may have increased substantially as a direct result of these same challenges.

The need to collect unpaid taxes and municipal fees may often be balanced against the fact that many residents may be hurting financially. While municipalities and school districts may not want to place additional burdens on those residents that are struggling, they also do not want to penalize those property owners who timely pay their bills by increasing taxes and user rates to cover the cost of those who have not paid. Portnoff Law Associates (PLA) helps municipalities and school districts balance the interests of all of their constituents. By actively collecting on delinquent accounts and bringing in much needed revenue for its municipal clients, PLA helps keep taxes and utility rates from rising, thus rewarding the majority of your constituents who timely pay their bills. For those residents that need more assistance, PLA offers flexible payment plans to help facilitate payment of the outstanding bill. PLA also offers a hardship program that will provide more extended payment terms for those residents with more severe financial or medical hardships. As a result of working with property owners in their time of need, PLA often receives thank you notes from those people whose delinquent obligations it is collecting. By bringing in Portnoff Law Associates to collect your delinquent real estate taxes and delinquent utility fees (water, sewer, trash, stormwater), your municipality, school district or municipal authority can take comfort in knowing that it is strategically balancing the needs and interests of ALL of its constituents.



PORTNOFF  
LAW ASSOCIATES, LTD.

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## THE PORTNOFF REPORTER

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### In Person

Feb.  
2022

Portnoff attorney Kevin Buraks participated on a panel at the Pennsylvania Association of School Business Officials (PASBO) Taxation Symposium on February 15, 2022, discussing how to improve delinquent tax collections.

Mar.  
2022

Attorney Buraks has been invited to join a solicitors' panel for the Board Member Training of the Pennsylvania Municipal Authority Association (PMAA) on March 24, 2022 in Breinigsville, PA.

Apr.  
2022

Attorney Buraks will be giving a presentation titled "Delinquent Account Collection Strategies to Increase Revenue" at the annual conference of the Pennsylvania State Association of Township Supervisors (PSATS) on April 26, 2022 at 1:15 p.m. at the Hershey Lodge.

If you are interested in having Portnoff Law Associates make a presentation at your next virtual or in-person conference or event, please contact us at (800) 561-7989.



Portnoff attorney Kevin Buraks drops off books that were donated from PLA's employee book drive to the Tredyffrin Township Public Library.

## Employee Spotlight: Ryan Moyer

If you have stopped by Portnoff's booth at the exhibit hall of a municipal trade show or conference over the last several years, there is a very good chance that you have met Ryan Moyer! As Portnoff's ambassador at many statewide events, Ryan does an excellent job educating attendees about our firm's collection practices and procedures. Hired in 2004, Ryan has been with Portnoff for 18 years, currently serving as the Manager of Special Projects. He specializes in technology research and innovation for the firm, and his purview includes researching and developing new workflow processes, marketing, assisting in end-user computer support, and managing the firm's website. Ryan has worked his way up the ranks, starting his career at Portnoff as a motions paralegal. He subsequently became a quality assurance analyst, working with phone reporting and workflow performance, and that role grew into his current position as Manager of Special Projects in 2012.

Ryan holds a Bachelor of Arts degree in English and Political Science from Goucher College. He currently lives in Lancaster County with his wife and children. In his free time, Ryan enjoys spending time with his family, reading, hiking, and disc golf.

### By The Numbers

The following figures demonstrate that Portnoff Law Associates rarely has to sell property to collect the delinquent accounts of its municipal clients:

80,000	Approximate number of new accounts placed with PLA in 2021
581	Number of delinquent accounts listed for sheriff's sale by PLA in 2021
19	Number of properties sold at sheriff's sale by PLA in 2021
0.073%	Percentage of delinquent accounts listed for sheriff's sale by PLA in 2021
0.02%	Percentage of delinquent accounts sold at sheriff's sale by PLA in 2021

### Hiring Portnoff

Portnoff Law Associates represents over 190 municipalities, school districts and municipal authorities across 25 Pennsylvania counties. Portnoff's proven collection process can be tailored to meet your specific collection needs, and we are available to meet with you to discuss the benefits of our services. If you are interested in learning more about how Portnoff can help maximize your delinquent collections at minimal cost to your municipality, please contact us at (800) 561-7989 or [kburaks@portnoffonline.com](mailto:kburaks@portnoffonline.com).

# The LIHWAP Water Assistance Program and the Portnoff Process



Are you enrolled in the Low Income Household Water Assistance Program (“LIHWAP”)? Does Portnoff represent you in connection with

your drinking water and/or wastewater (including stormwater) delinquencies? If so, please let your Portnoff client management attorney know! Portnoff has put together a knowledgeable and dedicated team to work with your office and county assistance offices throughout the Commonwealth to provide complimentary and up-to-date account balance statements in connection with all LIHWAP homeowner applications. As part of this effort, Portnoff immediately suspends its collection efforts on the applicable delinquencies and coordinates payment with you to ensure that upon receipt of LIHWAP grants, Portnoff is able to take all necessary action to reflect payment of the delinquencies with as little hassle to you and the homeowner as possible.

LIHWAP began in Pennsylvania on January 4, 2022, and is part of an overall emergency effort to prevent, prepare for, and respond to the COVID-19 pandemic with the public health focus of ensuring that low-income households have access to drinking water and wastewater services. It provides crisis grants for overdue drinking water and wastewater bills, up to \$2,500 each. If you want to learn more about the program or enroll your municipality or municipal authority, go to <https://www.dhs.pa.gov/Services/Assistance/Pages/LIHWAP.aspx> or contact Portnoff’s own Daniel Schley, Esq. at [dschley@portnoffonline.com](mailto:dschley@portnoffonline.com) and Jerilyn Kucharski at [jkucharski@portnoffonline.com](mailto:jkucharski@portnoffonline.com).

## Note of Appreciation

“We have worked with Portnoff over the past few years. My husband was diagnosed with cancer and went on to have a stem cell transplant. He’s doing very well now, but due to his health, we had significant changes in our income and had fallen behind on many things. We always caught up. It just took us longer than we hoped it would. ... I’m only sharing this because I want you to know that every single Portnoff associate that we have spoken with during these difficult years has ALWAYS treated us with kindness & respect. From the bottom of my heart, I thank you.”

A property owner from  
Washington Township, PA

# Legal Update New Validation Notice



The Consumer Financial Protection Bureau (CFPB) is a federal agency charged with regulating debt collection under the Fair Debt Collection Practices Act (FDCPA). The FDCPA addresses debt collection involving natural persons with respect to debts incurred for personal, family

or household financial obligations. Last year, the CFPB issued new regulations which took effect on November 30, 2021. These new regulations were issued with input from representatives of the collection industry.

One goal of the CFPB in the collection of debts has been to ensure that the debt collector has correct information concerning the identity of the debtor and the amount of the debt before proceeding with the collection process. To that end, the FDCPA provides an opportunity for the debtor to dispute the debt following notification of this right by the debt collector. This process is called “validation.” The new CFPB regulations require that a validation notice must be the first thing sent to a debtor by a debt collector. The FDCPA provides that when a debtor receives a validation notice from a collection agent (which can be a law firm or a non-legal entity collecting the debt), the debtor has 30 days after receipt of the notice to dispute the debt. Until this 30-day period has passed, collection proceedings must be suspended. Although the FDCPA contains language concerning what must be included in a validation notice, until the new regulations took effect, each debt collector fashioned its own language to convey this information. As part of the new regulations, the CFPB promulgated model language for this notice, which includes information in addition to what the FDCPA previously required, and many industry members, PLA included, are now using it. Use of the model language provides the debt collector with protections from certain claims that the FDCPA was violated. The model validation notice includes a tear-off portion that facilitates the debtor’s ability to make a written dispute.

The new regulations also provide guidance on electronic communications with debtors. Many people like to communicate over email or text message and the new regulations address how this can be done in a way that ensures privacy for the debtor. PLA is exploring how it can expand its use of email to facilitate communications with those property owners who prefer to communicate in this manner.



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**PORTNOFF LAW ASSOCIATES HELPS ITS MUNICIPAL CLIENTS BRING IN MORE REVENUE THROUGH THE ENHANCED COLLECTION OF DELINQUENT ACCOUNTS, WHILE PROVIDING DELINQUENT PROPERTY OWNERS WITH MORE PAYMENT FLEXIBILITY AND OPTIONS.**

With 30+ years of municipal collection experience, Portnoff Law Associates represents over 190 municipalities, school districts and municipal authorities across 25 Pennsylvania counties in the collection of delinquent:

- Real Estate Taxes
- Sewer Fees
- Abatement of Nuisance Charges
- Trash Fees
- Water Bills and Tapping Fees
- Stormwater Fees



Michelle Portnoff, President  
Portnoff Law Associates

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