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*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
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October 12, 1999

Nancy L. Gippert, Assistant Chief Counsel  
Pennsylvania Human Relations Commission  
101 South Second Street, Suite 300  
P.O. Box 3145  
Harrisburg, PA 17101

Re: Proposed Regulations #52-011

Dear Ms. Gippert:

These comments are in response to the civil penalties procedures established by the Pennsylvania Human Relations Commission pursuant to Act 34 of 1997.

First, I wish to commend the Commission for accomplishing a difficult task in promulgating these regulations. When Act 34 was passed by the Legislature, it was my hope that either the courts or the federal government might definitively address the "standing" issue to which these regulations relate. Unfortunately, the clear guidance for which we have been hoping has not yet completely materialized.

Because of the arguably contradictory judicial interpretations of the "standing" issue in certain housing cases, it is my hope that the Commission will not proceed rapidly in submitting its final-form regulation on this provision. Over the course of time as this proposed regulation proceeds to its final form, I would appreciate your keeping the State Government Committee informed of any further developments relevant to this issue from either the courts or from HUD.

Furthermore, when the idea of a "civil penalties" provision was suggested to the State Government Committee prior to passage of Act 34, we were under the impression that it would mirror, in some respects, the civil penalties provision which currently applies to real estate licensees, 49 Pa. Code § 49.43b.3. The civil penalties procedures for real estate licensees, however, is considerably shorter and less complicated than this proposed regulation. Therefore, if there is any way in which these regulations could be "streamlined," I believe that would make the process far more understandable and beneficial to all involved.

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Nancy L. Gippert, Assistant Chief Counsel  
Page 2  
October 12, 1999

Again, thank you for all of your work in developing this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul", written in a cursive style.

PAUL T. CLYMER, Chairman  
House State Government Committee

PIC/erk

cc: The Honorable Dennis Leh