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June 3, 2024

VIA E-MAIL ONLY: francis.healy@phila.gov Francis
Healy, Esq.
Special advisor to the Commissioner
Philadelphia Police Department
Headquarters, Franklin Square
Philadelphia, PA 19106

RE: XXXXXXXXXX, Inc.

Dear Mr. Healy:

As you know from our past discussions, I represent XXXXXXX, Inc.

You previously sent a letter to XXXXXXXXXX dated June 23, 2023, with a copy to my client, requesting that my client comply with Philadelphia Police Department (“PPD”) directive (presumably Section 4 of Directive 12.5) (the “**Directive**”), by taking vehicles repossessed within the City of Philadelphia to a police district that an officer may inspect the VIN and confirm that the vehicle is not stolen and to avoid the vehicle being denoted as stolen in NCIC. In response to your letter, I reached out to you, and we held a meeting via Zoom on the afternoon of July 13, 2023. During that meeting, I explained that state law merely requires a reposessor to “notify” local police within twenty-four (24) hours of the repossession and does not require the reposessor to take the vehicle to the local police for inspection or verification. I also explained to you that when my client did previously comply with the Directive in this regard, it would often take upwards of an hour for the inspection to be conducted, which was prohibitively prolonged and contrary to my client’s business interests. Moreover, during our call, you stated that you believed that the Philadelphia Code required compliance with the Directive. As a result, I asked you to cite the applicable Code section and you promised to do so. Not having heard from you, I e-mailed you on the afternoon of September 12, 2023 to follow up, but you did not respond. From that, I can only assume that you admit that there is no section of the Philadelphia Code requiring my client to comply with such Directive.

Francis Healy, Esq.

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As I am sure you are well aware, my client reports all repossessions conducted within Philadelphia to the local police district via both e-mail and fax. To my client's knowledge, every police department in Pennsylvania, except Philadelphia, accepts notification via telephone call with a follow-up fax. Philadelphia is the only police department that purports to require repossessors to bring the repossessed vehicle to a police district for inspection/verification.

Today, my client was contacted by Keith Gamber of the Pennsylvania State Police ("PSP"), who advised my client that the PPD reported that my client was not following its Directive and that such failure may be a violation of the law. I can only assume that the PPD made such contact to pressure my client into complying with its legally unenforceable Directive. My client hereby demands that you cease efforts to enforce the Directive as if it were mandatory in nature, including harassing my client, contacting my client's lender/clients, or making misleading reports to the PSP. It remains my client's position that reporting repossessions to police districts by email and fax complies with Pennsylvania law and there is no legal requirement to bring a repossessed vehicle to a police district. Please note that if my client or any of its employees or agents suffers any harm, including from being detained or arrested, due to PPD's failure to honor my client's repossession reporting, we will not hesitate to commence immediate legal action. My client will not be bullied.

Strangely, also today, Officer Nicholas Ruggia of the PPD's major crimes/auto theft unit, contacted my client. During that conversation, he stated that police districts have been ignoring my clients reports of repossessions sent via fax and e-mail. He also asked my client to report all repossessions to him via e-mail instead of reporting them to a police district. Lastly, he admitted that my client is not legally mandated to take repossessed vehicles to a police district. As a result, going forward, my client will report all repossessions within the City of Philadelphia only to Officer Ruggia via e-mail. That being said, should Officer Ruggia or another officer desire to come out to my client's storage lot to inspect a vehicle they will be permitted to do so within twenty-four (24) hours of when the report is submitted to Officer Ruggia and upon making an appointment to do so with my client. The short time period is necessary because vehicles only remain in my client's possession for a short time because they are ordinarily quickly recovered by debtors or returned to lenders. My hope is that this fully resolves the matter.

Please contact me should you wish to discuss this matter further.

Very truly yours,



Benjamin R. Picker

BRP/jml