

City of Philadelphia



(Bill No. 000602)

AN ORDINANCE

Amending Subcode “PM” of Title 4 of The Philadelphia Code, entitled “The Philadelphia Property Maintenance Code,” by providing for the suspension and revocation of a residential rental property license, multiple-family dwelling license, rooming house license, or vacant lot or building license for failure to correct Code violations related to licensed properties or for failure to pay fines and costs imposed for such violations, and by providing that there shall be no right to recover possession of the premises or to collect rent during a period of license suspension or revocation; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 4 of The Philadelphia Code is hereby amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING CONSTRUCTION AND OCCUPANCY CODE

* * *

CHAPTER 4-200.0 TEXT OF SUBCODES

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SUBCODE “PM” (THE PHILADELPHIA PROPERTY MAINTENANCE CODE)

* * *

SECTION PM-102.0 LICENSING

PM-102.1 Multiple-family dwellings: No person shall operate a multiple-family dwelling without first obtaining a multiple-family dwelling license from the Department. Every person applying for a license shall supply such information as the Department requires and shall pay an annual fee as set forth in the administrative code.

PM-102.2 Rooming houses: No person shall operate a rooming house, dormitory or hotel without first obtaining a rooming house license from the Department. Every person applying for a license shall supply such information as the Department requires and shall pay an annual fee as set forth in the administrative code.

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PM-102.3 Residential rental properties: No person shall offer for rent a one-family dwelling, two-family dwelling or rooming unit therein without first obtaining a residential rental property license from the Department, provided that the residential rental property license need not be obtained if a multiple-family dwelling license has been issued for the building in which the dwelling or rooming unit is located. Every person applying for a license shall supply such information as the Department requires and shall pay an annual fee as set forth in the administrative code.

PM-102.4 Vacant structures or lots: The owner of every vacant lot and every vacant building which is used or intended to be used in whole or in part for residential occupancy, shall obtain a license from the Department. Every person applying for a license shall supply such information as the Department requires and shall pay an annual fee as set forth in the administrative code.

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PM-102.6 Condition of license: All licenses required by this code shall be subject to the conditions set forth in Sections PM-102.6.1 through PM-102.6.5.

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PM-102.6.4 Rent collection: No person shall collect rent with respect to any property that is required to be licensed pursuant to this code unless a valid license has been issued for said property. At the inception of each tenancy, an owner shall issue to the tenant a written statement certifying that the rental unit is licensed and listing the license number.

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PM-102.7 Penalties: In addition to penalties set forth in the administrative code, the additional specific penalties set forth in Sections PM-102.7.1 and PM-102.7.2 shall apply.

PM-102.7.1 Non-compliance: Any owner who is required to file a license application under this code and who fails to comply with the provisions of Section PM-102.0 as required, *or whose license has been suspended or revoked under subsection PM-102.7.2*, shall be denied the right to recover possession of the premises or to collect rent during or for the period of noncompliance *or during or for the period of license suspension or revocation*. In any action to recover possession of real property or to make any claim against a tenant, the owner shall attach a copy of the license together with any amendments thereto.

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PM-102.7.2 *Suspension and Revocation*: Any license issued pursuant to the provisions of this code shall be subject to [revocation] *suspension* by the Department for failure to comply with the requirements of this code *after a reinspection has been made to determine compliance pursuant to Section A-503.1 of the administrative code*, or for failure to pay any fine and/or cost imposed under this code or the administrative code, *and such suspension shall continue until there has been compliance and until any unpaid fines and costs have been paid. If a person has had a license suspended under this provision on three occasions, within a period of three years, then each subsequent failure to comply with the requirements of this code or failure to pay any fine and/or cost imposed under this code or the administrative code shall result in revocation of the license, and the person shall not be permitted to apply for any new licenses under this Section for one year after such revocation. The Department shall provide written notice and an opportunity for a hearing prior to any suspension or revocation of a license under this Section.*

Explanation:

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 14, 2001. The Bill was Signed by the Mayor on August 31, 2001.



Marie B. Hauser
Chief Clerk of the City Council