City of Philadelphia

BILL NO. 060940

Introduced December 7, 2006

Councilmember Ramos

**Referred to the
Committee on Housing, Neighborhood Development and the Homeless**

AN ORDINANCE

Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by adding a new Chapter entitled "Protection Against Abusive Rental Practices," by prohibiting the rental of property based on a cost per rentable space basis, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1.   Title 9 of The Philadelphia Code is amended to add Chapter 9-3100 to read as follows:

TITLE 9. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

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CHAPTER 9-3100. PROTECTION AGAINST ABUSIVE RENTAL PRACTICES.

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§9-3101.   Definitions.

(1)   "Rentable space."   An area including, in addition to useable space, any of the following: internal columns, elevators and elevator shafts, stairwells common to multiple tenants, hallways common to multiple tenants, ventilation shafts and heating and cooling ducts, maintenance rooms, lobby space and exercise rooms or similar common areas.

(2)   "Useable space." An area within the exclusive use of a tenant that can be physically occupied by the tenant.

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§9-3102.   Prohibited Conduct.

(1)   No person shall offer or rent space for a price determined by rentable space.   Property offered for rent or rented for a price based on area rented shall be based on a price per useable space. Landlords are not prohibited from factoring the pro rata value of rentable space in determining the price of property rented, but shall not express the price of a rental in an offering or lease document in terms of price per rentable space.

(2)   A lease pursuant to which rent is established on a price per rentable space is voidable at the discretion of the tenant without liability to the landlord or any other party for damages or penalty.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.