

# City of Philadelphia



(Bill No. 250045)

## AN ORDINANCE

Amending Chapter 9-800 of The Philadelphia Code, entitled “Landlord and Tenant,” to establish requirements related to fees charged by landlords to individuals applying for residential tenancy, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

Section 1. Chapter 9-800 of The Philadelphia Code is hereby amended to read as follows:

### CHAPTER 9-800. LANDLORD AND TENANT

\* \* \*

§ 9-802. Definitions.

\* \* \*

(5) Unfair Rental Practice. Any act in violation of Section 9-804 or Section 9-809.

(6) *Background Check.* A communication of any information by a consumer reporting agency, as defined in 15 U.S.C. § 1681a, which concerns a person’s rental or other residential history, employment history, criminal history, character, general reputation, personal characteristics, or mode of living.

(7) *Credit Check.* A communication of any information by a consumer reporting agency, as defined in 15 U.S.C. § 1681a, which concerns an individual’s credit worthiness, credit standing, credit capacity, or payment history, including but not limited to a consumer credit report or credit score.

(8) *Prospective Tenant.* An individual who is applying for or otherwise seeking to be considered for residential tenancy in a premises.

\* \* \*

§ 9-813. Rental application fees.

(1) *For purpose of considering, assessing, or selecting one or more individuals for residential tenancy in a premises, no landlord, owner of a premises, real estate broker, real estate agent, person operating or managing a premises, or employee or agent thereof, shall demand or accept any payment, fee, or charge from, or on behalf of, a prospective tenant other*

# City of Philadelphia

BILL NO. 250045 continued

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*than a fee for conducting a background check and/or a credit check subject to the limitations of this Section.*

*(2) The following limitations shall apply with respect to the background and/or credit check fees that may be charged to a prospective tenant as permitted by Subsection (1):*

*(a) The total charge for any background check and/or credit check shall not exceed the actual cost associated with conducting such check(s), or a total of fifty (50) dollars, whichever is less. In no case shall any fee be charged for a background check or credit check that is not performed.*

*(b) No landlord or owner of a premises, or employee or agent thereof, shall charge a prospective tenant more than one fee in any 12-month period to conduct a background check and/or credit check in association with applications for tenancy at any of the premises owned by the landlord or owner. In addition, no person operating or managing a premises, or employee or agent thereof, shall charge a prospective tenant more than one fee in any 12-month period to conduct a background check and/or credit check in association with any applications for tenancy at the same premises.*

*(3) For purpose of considering, assessing, or selecting one or more individuals for residential tenancy in a premises, no landlord, owner of a premises, real estate broker, real estate agent, person operating or managing a premises, or employee or agent thereof, shall perform a credit check that impacts the credit score of the individual who is the subject of the credit check, also known as a “hard pull” credit check.*

*(4) A landlord, owner of a premises, real estate broker, real estate agent, person operating or managing a premises, or employee or agent thereof, shall provide a copy of any background check and/or credit check that is conducted as permitted by this Section to the individual who is the subject of the check.*

*(5) All credit checks and background checks carried out as permitted by this Section shall also comply with the requirements of the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq., including, if applicable, the requirement to provide a prospective tenant with an adverse action notice.*

Section 2. This Ordinance shall take effect 90 days after being adopted into law.

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**Explanation:**

*Italics indicate new matter added.*

# City of Philadelphia

*BILL NO. 250045 continued*

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 5, 2025. The Bill was Signed by the Mayor on September 3, 2025.

A handwritten signature in black ink, appearing to read "Elizabeth McCollum". The signature is fluid and cursive, with a large loop at the end.

Elizabeth McCollum  
Chief Clerk of the City Council