

Legislation Text

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Urging the Pennsylvania General Assembly to enact House Bill 2140, which would protect against construction-related damage to adjoining properties by requiring contractors to purchase surety bonds.

WHEREAS, House Bill 2140 was inspired by a tragic, near-fatal building collapse in Fishtown last February. Unexpectedly, the Klenk family home lurched, causing the ceiling to cave in and the floor to sink in. Members of the household, including a 94-year-old grandmother with dementia, had to quickly escape to avoid serious injury or death. After investigation, it was discovered that contractors, performing work on the adjoining property, had caused a structural collapse, forcing the City to demolish both houses for safety purposes; and

WHEREAS, The Klenk family's ordeal is not an outlier, but rather a harrowing example of a growing volume of construction accidents, which is correlated with Philadelphia's real estate development boom; and

WHEREAS, David Perri, the commissioner of the Department of Licenses & Inspections, has verified the vast scope of the problem, faulting incompetent work, inexperienced contractors, excessive rainfall, "the mentality of get-rich-quick," and a regulatory framework that "encourages teardowns" as the primary contributing factors; and

WHEREAS, District councilmembers have received high volumes of complaints of construction-related damage from constituents; and

WHEREAS, Community Legal Services has begun to represent owners of homes damaged by construction activity, as a result of an increasing number of requests for assistance from community members; and

WHEREAS, In light of the foregoing, better regulatory tools are necessary to address the proliferation of claims of construction-related damage in Philadelphia; and

WHEREAS, House Bill 2140 would provide homeowners with a clear, reliable mechanism to recover the costs of remediating construction-related damage, while also creating better incentives for property owners, developers, and contractors to exercise care in construction and home improvement; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby urges the Pennsylvania House of Representatives to pass House Bill 2140, which would require contractors performing work on adjoining properties to purchase a surety bond of \$500,000 for each property adjoining the home improvement project or new home construction project.