

Legislation Details (With Text)

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Title:	Amending Chapter 9-800 of The Philadelphia Code, entitled "Landlord and Tenant," to address matters related to the landlord and tenant relationship during the novel coronavirus of 2019 pandemic, including but not limited to periods of applicability of various provisions, such as the applicable period of the eviction diversion program, and time frames applicable to qualification for certain provisions, all under certain terms and conditions.				
Sponsors:	Councilmember Gym, Councilmember Brooks, Councilmember Gauthier				
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Date	Ver.	Action By	Action	Result	Tally
1/20/2021	1	MAYOR	SIGNED		
12/10/2020	1	CITY COUNCIL			
12/3/2020	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL		
12/3/2020	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
12/3/2020	1	CITY COUNCIL	READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
11/25/2020	0	Committee on Housing, Neighborhood Development and The Homeless	HEARING NOTICES SENT		
11/25/2020	0	Committee on Housing, Neighborhood Development and The Homeless	HEARING HELD		
11/25/2020	0	Committee on Housing, Neighborhood Development and The Homeless	AMENDED		
11/25/2020	1	Committee on Housing, Neighborhood Development and The Homeless	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
11/12/2020	0	CITY COUNCIL	Introduced and Referred		

Amending Chapter 9-800 of The Philadelphia Code, entitled "Landlord and Tenant," to address matters related to the landlord and tenant relationship during the novel coronavirus of 2019 pandemic, including but not limited to periods of applicability of various provisions, such as the applicable period of the eviction diversion program, and time frames applicable to qualification for certain provisions, 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

* * *

§ 9-809. COVID-19 Emergency Housing Protections.

* * *

- (1) Definitions. The following definitions apply to this Section 9-809 only:

* * *

(b) COVID-19 emergency period. The period beginning on the date the ordinance adding Section 9-809 to the Code becomes law and ending August 31, 2020.

(b.1) COVID-19 inclusive emergency period. The period beginning March 1, 2020 and ending December 31, 2020.

(c) COVID-19 financial hardship. A tenant's or tenant's household member's loss of income due to any one or more of the following during the [COVID-19 emergency period or the retroactive emergency period] *COVID-19 inclusive emergency period*:

* * *

- (5) Eviction Diversion Program

(a) The Commission, or such other City department or office as the Mayor may designate, is authorized to establish a residential eviction diversion program *to facilitate dispute resolution between landlords and tenants, which may include one or more of the following*: [consisting of the following:]

(1) A conciliation conference between a landlord and tenant that has experienced a COVID-19 financial hardship to mediate an agreement for asserted residential lease violations.

(2) A designated mediator and housing counselor that participates in the conciliation conference.

(3) A designated housing counselor that engages with the tenant prior to the conciliation conference to educate and discuss available resources.

(4) Any other dispute resolution methods established by the residential eviction diversion program.

(b) [Provided that this subsection (5)(b) expires on December 31, 2020, if] [the residential eviction diversion program authorized by this subsection, "Eviction Diversion Program," is implemented, from the date of such implementation] *Beginning September 1, 2020, so long as the City is running a eviction diversion program consistent with this Section 9-809(5),* no landlord shall take steps in furtherance of

recovering possession of a residential property occupied by a tenant who has suffered a COVID-19 financial hardship other than providing a notice required under this Section 9-809 *without first completing the eviction diversion program*, [without first participating in a conciliation conference, including any requirements set forth in an applicable regulation,] unless one of the following requirements are met:

(.1) Eviction is necessary to cease or prevent an imminent threat of harm by the person being evicted, including physical harm or harassment; or

(.2) The landlord has provided the affected tenants notice of such tenants' rights under this Section 9-809, and how to exercise such rights; [and] *the landlord has registered with the eviction diversion program; and thirty (30) days has passed both from the date the landlord provided the required notice of tenants' rights and the landlord properly registered with the eviction diversion program; provided that such landlord shall thereafter continue to participate in the eviction diversion program.* [has contacted the eviction diversion program to schedule a conciliation conference but the program is unable to offer a date for a conciliation conference within thirty (30) days of the landlord's initial request to schedule; provided that such landlord shall thereafter participate in a conciliation conference when it becomes available, if prior to an eviction judgment being issued.]

(.3) *This subsection (5)(b) expires on March 31, 2021.*

* * *

SECTION 2. This Ordinance shall be effective immediately.