

Legislation Text

File #: 140716-A, **Version:** 2

Amending Chapter 9-800 of The Philadelphia Code, entitled “Landlord And Tenant - Rent Control,” by requiring adequate notice to tenants regarding rent increases and adequate notice to landlords in the case of tenants’ decision not to renew a lease, all under certain terms and conditions.

WHEREAS, Property values in several areas of the City have been rising regularly due to increased construction and renovation that has been spurred by a renewed interest in city living; and

WHEREAS, As a result of this increase in property values, there have been substantial increases in the real estate taxes due on these properties; and

WHEREAS, Some real estate tax relief has been provided to owner-occupants through the Homestead Exclusion and to eligible long-time owner-occupants through the Longtime Owner Occupants Program (“LOOP”); and

WHEREAS, Similar relief is not available to tenants; yet landlords often will pass along any increase in real estate taxes, which could be substantial, to their tenants through a rent increase; and

WHEREAS, There currently is no requirement that landlords provide reasonable notice of a rent increase to tenants; and

WHEREAS, Reasonable notice of rent increases would provide tenants with ample time to adjust finances in order to pay any increase in rent or to relocate; and

WHEREAS, Similarly, there is no requirement that a tenant provide reasonable notice to a landlord that the tenant will not renew a lease at the end of the lease term; and

WHEREAS, Reasonable notice by the tenant to the landlord regarding the non-renewal of a lease would provide the landlord with time to find a new tenant and would reduce the risk of the property remaining vacant until a new tenant is able to be found; now, therefore

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 [- RENT CONTROL].

* * *

§ 9-804. Unfair Rental Practices.

* * *

(11) *Notice Requirement.*

(a) Landlord Notice to Tenant of Rent Increase. Unless the lease provides a longer period of time for the landlord to notify the tenant that the tenant's rent will be increased at the end of a residential tenancy, the following notice requirements shall apply: At least 60 days prior to the effective date of a rent increase where a residential tenancy is one year or more, and at least 30 days prior to the effective date of a rent increase where a residential tenancy is less than one year, the landlord shall notify the tenant of the following: (i) the amount of the rent increase; (ii) the effective date of the rent increase; and (iii) the new payment amount. The landlord shall provide such notice, in writing, by hand delivery or by first class United States mail with proof of mailing.

(b) Tenant Notice to Landlord of Non-Renewal of Lease. For any residential tenancy of one year or more, if the tenant has received timely notice of a rent increase under subsection (11)(a), and if the tenant will not renew the lease at the end of the lease term, the tenant shall notify the landlord of the non-renewal, within 30 days after receiving notice of a rent increase. The tenant shall provide such notice, in writing, by hand delivery or by first class United States mail with proof of mailing.

This subsection (11) shall not apply to any property under the jurisdiction of the Department of Housing and Urban Development.

(c) The provisions of this subsection (11) shall apply to any residential lease that is executed or renewed after the effective date of this subsection.

[(11)] (12) * * *

[(12)] (13) * * *

SECTION 2. This Ordinance shall take effect 60 days after it becomes law.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.