Legislation Text

File #: 160988, **Version:** 0

Authorizing the Committee on Licenses and Inspections and the Committee on Public Health and Human Services to conduct hearings concerning the impact of eviction and substandard housing on the health and wellbeing of low-income renters, and examining solutions that would improve the safety and stability of rental housing, including the right to counsel.

WHEREAS, The City of Philadelphia is facing a housing crisis due to a shortage of safe and affordable housing for low-income renters, with lack of affordable housing identified as the lead cause of homelessness among families with children and substandard housing conditions being a major source of environmental health hazards; and

WHEREAS, Women of color with children have fewer options for safe and affordable housing, face more housing discrimination, and are evicted at much higher rates than men and white women, and low-income women of all races are evicted at much higher rates than men, while Black and Hispanic women tend to be overrepresented in court ordered evictions and shelter populations; and

WHEREAS, While many responsible landlords strive to comply with the law, a large but unknown number of Philadelphia's 270,000 rental units are entirely unlicensed, and thousands of both licensed and unlicensed properties are in substandard condition and not in compliance with applicable City code requirements, some posing imminent risk to life and health; and

WHEREAS, Although a license is required to collect rent or commence eviction proceedings, and laws exist to protect tenants living in properties with open code violations from facing eviction, these laws are not consistently followed by all landlords; and

WHEREAS, Less than 10% of landlords currently comply with requirements to provide lead-safe certification when renting to families with children aged six and under, according to public health officials; and

WHEREAS, Substandard housing conditions ranging from mold and flaking paint to leaking ceilings and electrical hazards are linked to serious health problems, with Philadelphia seeing significant and increasing rates of hospitalization from childhood asthma, childhood lead poisoning rates that are the highest in the region and twice the national average, and deaths and injuries from fires regularly being caused by faulty wiring or use of ovens or space heaters to compensate for lack of heating; and

WHEREAS, Renters subjected to housing conditions that violate City code or legal standards of habitability may face displacement from their homes due to the severity of the conditions or as a result of landlord retaliation for renters reporting violations to authorities or exercising the legal right to withhold rent; and

WHEREAS, A substantial number of people dealing with substandard housing or facing eviction proceedings live in poverty, cannot afford or obtain counsel to represent them, and must appear in court unrepresented despite the fact that eviction proceedings are technical legal proceedings in which rules of evidence and procedural and substantive law apply; and

WHEREAS, Unrepresented parties operate on an uneven playing field, with 80-85% of landlords having legal representation in Philadelphia landlord-tenant court while only 5-8% of tenants have such representation; and

WHEREAS, The consequences of eviction are dire for low-income people: there is a deficit of affordable housing, and low-income families and individuals who lose their homes in legal proceedings often end up in homeless shelters or in housing that is less affordable than the housing they must leave; and they suffer from loss of employment, missed schooling, and damage to physical and mental health: and

WHEREAS, The collateral effects of eviction create stigma and can perpetuate homelessness through damage to renters' credit and the use of tenant screening programs that blacklist tenants based on their court and eviction history; and

WHEREAS, These dire consequences for those who lose their homes in turn result in huge costs to the City of Philadelphia in providing emergency and transitional shelter and social services, as well as dealing with the far-ranging effects of frequent and traumatic displacement on individuals, families, and neighborhoods; and

WHEREAS, Representation in eviction proceedings keeps people in their homes and communities and out of the homeless shelters and provides fundamental fairness and due process for those who face imminent loss of housing by negotiating time and payment agreements, helping navigate court processes, addressing substandard housing conditions, and defending against retaliation; and

WHEREAS, Reviews of Philadelphia Municipal Court data has shown that tenants with attorneys are far less likely to be evicted and more likely to assert their right to safe and habitable housing that meets code requirements; and

WHEREAS, Investing in a right to counsel for tenants is cost-effective, is one of the best measures to prevent evictions, housing instability, and homelessness, and is an essential tool in combating poverty and improving the health and wellbeing of the city's residents and communities; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Authorizes hearings to be conducted concerning the impact of eviction and substandard housing on the health and wellbeing of low-income renters, and examining solutions that would improve the safety and stability of rental housing, including the right to counsel.

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