

Legislation Text

File #: 170560, **Version:** 0

Amending Chapter 9-1200 of The Philadelphia Code, entitled “Condominium and Cooperative Conversions,” to add provisions requiring notification to tenants upon intent to terminate or alter leases under certain circumstances; further providing for penalties; and making technical changes; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 9-1200 of The Philadelphia Code is amended as follows:

CHAPTER 9-1200. CONDOMINIUM, [AND] COOPERATIVE
AND RENTAL HOUSING CONVERSIONS

§ 9-1201. Legislative Findings.

The Council of the City of Philadelphia hereby finds:

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(8) *Conversion of rental properties from one level of affordability to more costly rentals can cause dislocation and displacement of many residents, causing the same types of problems as condominium and cooperative conversions.*

(9) The City of Philadelphia can, under its police powers, enact legislation which regulates the health, safety or welfare of its citizens.

§ 9-1202. Definitions.

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(4) **Multiple Occupancy Dwelling.** Any dwelling or part thereof containing three or more dwellings units.

(5) **Significant Building Renovation.** *Work requiring a building permit in connection with 25% or more of the units in a dwelling.*

(6) **Significant Lease Change.** *Termination of a lease with a tenant, including a month-to-month lease, an oral lease or a holdover lease, or the alteration, amendment or modification of a significant term or condition of a lease or arrangement of tenancy.*

(7) **Unfair Conversion Practice.** Any act in violation of Section 9-1204.

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§ 9-1204. Unfair Conversion Practices.

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(1.1) It shall be unlawful for any owner, landlord, agent or other person operating or managing a multiple occupancy dwelling to make a significant lease change unless the tenant has been notified in writing of the significant lease change by certified mail, return receipt requested, six months prior to the change, or such earlier time as may be required under the lease or other provision of law, if:

(a) the change is being made because of a planned significant building renovation, whether the work is to be performed by the existing owner or a subsequent purchaser of the property; or

(b) the change is being made because of a change in the general use of the property, such as a change from general private rentals to rentals based on a master lease or contract with an institution such as a university.

The notification shall include contact information for such tenant advocacy organizations as identified by the Commission on the City's website.

(2) A tenant in possession at the time of the delivery of [the] a notice [referred to] referenced in subsection (1) or (1.1), above, may not be required to vacate the premises prior to the expiration of the one-year [year's] notice period or six-month notice period, as applicable, except for:

(a) nonpayment of rent;

(b) breach of a covenant in the existing lease;

(c) the tenant's having committed a nuisance or waste upon the property, or having caused the premises to be in violation of The Philadelphia Code.

(3) Any tenant in possession at the time of delivery of the aforesaid notice, whose lease would ordinarily terminate during the one-year period or six-month period, is entitled to have the tenancy extended on the same terms and conditions [until the expiration of the one-year period] from the date of the notice until the expiration of the applicable notice period.

(4) Any tenant in possession at the time of delivery of the notice may terminate his lease with 90 days' notice, in the case of a condominium conversion, or 60 days' notice, in the case of a significant lease change, or such lesser notice as may be permitted in the lease, without penalty for termination.

(5) Tenants who take possession of a unit after [the one year's notice provision] a notice is delivered pursuant to this Section, but before the date of actual conversion or significant lease change, shall be notified in writing prior to the signing of the lease, of the owner's intentions to convert to a condominium as of the specified date or regarding the purpose of the planned significant lease change and given whatever information is requested by that tenant relative to the costs of purchasing that unit.

(6) No provision of this Section can be waived or made subject to a contract between the parties

depriving a tenant of the benefits of this Section.

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§ 9-1207. Penalty.

(1) Any person violating an order of the Commission or any provision of this Chapter is subject to a fine of not less than one hundred (100) dollars and of not more than [three hundred (300) dollars] *two thousand dollars*, together with costs of prosecution. Each violation shall constitute a separate offense.

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