

City of Philadelphia



(Bill No. 180978-A)

AN ORDINANCE

Amending Title 10 of The Philadelphia Code, entitled “Regulation of Individual Conduct and Activity,” Chapter 10-800, “Safety,” by adding a new Section 10-841, “Fraudulent Leasing of Residential Property,” prohibiting conduct related to the fraudulent leasing of residential property, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 of The Philadelphia Code is hereby amended to read as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY.

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CHAPTER 10-800. SAFETY.

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§ 10-841. Fraudulent Leasing of Residential property.

(1) Prohibited Conduct. No person shall rent a residential property to a third party if such person does not (a) own the residential property, (b) have the legal authority from an owner of such property to rent the residential property to such third party, or (c) have the legal authority to occupy such property.

(2) Penalty. In addition to such other fines, penalties, and imprisonment as applicable under Pennsylvania law, any person who violates Section 10-841(1) shall be subject to a fine of not more than two thousand (2,000) dollars, or imprisonment of not more than ninety (90) days, or both.

(3) Private Right of Action. The following persons shall have a private right of action against any person who violates §10-841(1) and may recover, for each such violation, actual damages, punitive damages not to exceed \$2,000 per violation, reasonable attorneys’ fees and court costs to the extent allowed by law, and such other relief, including injunctive relief, as the court may deem appropriate:

(a) An owner whose residential property has been wrongfully rented out by a person in violation of Section 10-841(1).

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(b) An individual who has rented a residential property from a person without knowledge that such person did not possess the right to rent out such property.

This subsection (3) in no way limits the rights of private parties to pursue any legal rights and claims they may possess under a written agreement or any other applicable law.

SECTION 2. Effective Date. This Ordinance shall take effect immediately.

Explanation:

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 6, 2018. The Bill was Signed by the Mayor on December 11, 2018.



Michael A. Decker
Chief Clerk of the City Council