



Bill number: 250330

Introduced by: O'Rourke

Cosponsor(s): Phillips, Gauthier, Jones, Landau, Young, Brooks

Assigned committee: Housing, Neighborhood Development and The Homeless

Date introduced: 04/10/2025

Fiscal Note

Overview

This bill would expand residential renter protection rights by preventing landlords from retaliating or refusing to renew or lease to a tenant without good cause. It also expands prevention against tenant harassment, rights for tenants to organize, and the creation of a legal presumption of breach of the implied warranty of habitability. The anticipated cost to the City is between \$3.3 to \$4.3 million over 5 years.

Legislative Summary

Definition of Tenant Harassment

This bill would prohibit a landlord or anyone operating on their behalf from taking action, including any of the following, for the purpose of causing a tenant to vacate their rental or otherwise surrender rights associated with their tenancy:

- Failing to make or complete repairs and maintenance in a timely manner (following applicable industry standards),
- Reducing, eliminating, or threatening to reduce or eliminate services that were required in the lease (for example, parking),
- Interfering or threatening to interfere with a tenant's right to peacefully use and enjoy their living space,
- Threatening tenants or their guests with physical harm,
- Influencing, or attempting to influence a tenant to vacate their unit by fraud, intimidation, or coercion,
- Making a report or threatening to make a report about a tenant to a governmental entity when done to retaliate against the tenant for engaging in activity,
- Refusing to acknowledge or accept receipt of lawful rental payments,

- Engaging in activity prohibited by federal, state, or local housing anti-discriminatory laws,
- Retaliating against, threatening, or interfering with tenants or tenant organizers.

This bill would also prevent landlords from refusing to rent, terminating a lease, or refusing access to common areas or amenities to any tenant or renter that:

- Files a complaint or cooperates with an agency relating to violations,
- Cooperates with any agency or government official, the press, or other public forums relating to violations, and
- Joins or participates in a tenant organization or union

Tenants' Rights Under Implied Warranty of Habitability

This bill would establish a tenant's right to an abatement of rent if a landlord knows of a serious defect in their property and fails to act to repair it. The bill creates a rebuttable presumption that a landlord has breached the implied warranty of habitability if the property has a Code violation in excess of 30 days which has not been remedied and which is not the subject of an appeal.

If an open violation includes a determination by the Department of Licenses and Inspections that the property is unfit, unsafe, or imminently dangerous, the tenant would be eligible for a full abatement of rent until the violation is remedied.

Rights of Tenants to Organize

This bill would grant the tenants the right to:

- Organize and advocate related to the terms and conditions of their residency,
- Join, form, and participate in a tenant organizations,
- Meet with a representative from the housing provider and appoint their own representative to discuss possible resolutions,
- Engage in efforts to improve the conditions of the property with other tenants.

This would apply not only to tenants but to any tenant organizer. Landlords could not interfere with either tenants or organizers engaging in the following activities if they are doing so in accordance with applicable laws:

- Distributing literature in common areas, including lobby areas,
- Knocking on tenants' doors, speaking with tenants and placing literature at or under tenants' doors,
- Posting information on all communal bulletin boards,
- Assisting tenants to participate in tenant organization activities,
- Holding tenant and/or tenant organization meetings at any reasonable time in an appropriate space that tenants would have access in the terms of their lease,

- Preparing responses to the housing provider's actions or building/unit conditions including increases or request for increases in rent and proposed increases, decreases or other changes in housing accommodations and services,
- Any reasonably activity related to creating or running a tenant organization.

Remedies

This bill would allow tenants to file a complaint with the Fair Housing Commission or with an agency designated by the Mayor. Unless otherwise stated, a claim must be filed with the Fair Housing Commission within one year of the date that an alleged violation occurred, or with the court within two years of the date that an alleged violation occurred. Tenants would not be required to file a complaint with an agency before filing in court. Each violation of any of the prohibited acts would be considered a separate violation for each day they occurred or continued to occur.

Enforcement

This bill would allow the court to order any of the following after a tenant successfully brings a claim against their housing provider:

- Monetary payment to compensate for any harm suffered, including economic damages and emotional distress damages,
- Order a party to stop any relevant harmful actions and other equitable relief as appropriate,
- If the plaintiff elects before judgment is rendered, statutory damages of \$1,000 per violation,
- Reimbursement of reasonable attorney's fees and court costs,
- Suspension or revocation of the housing provider's rental license during which period the rent of any rental units in the housing accommodation shall not be collected or increased,

And monetary payment meant to punish the wrongful party up to three times the value of actual damages sustained, or if statutory damages are elected, three times the value of statutory damages

Proposed Effective Date

This legislation would be effective immediately after enactment.

Fiscal Impact Analysis

The estimated cost of implementing this legislation is summarized in the following table. The total cost is estimated to be \$3.3 to \$4.3 million over five years.

Fiscal Impact Summary	FY26	FY27	FY28	FY29	FY30	Total
Expenditure Increase/(Decrease)						
Class 100: Personal Services						
Salary	\$473,297- \$609,752	\$473,297- \$609,752	\$473,297- \$609,752	\$473,297- \$609,752	\$473,297- \$609,752	\$2,366,485- \$3,048,760
Fringe Benefits	\$201,151- \$259,144	\$201,151- \$259,144	\$201,151- \$259,144	\$201,151- \$259,144	\$201,151- \$259,144	\$1,005,755- \$1,295,720
Net Cost/(Savings)	\$674,448- \$868,896	\$674,448- \$868,896	\$674,448- \$868,896	\$674,448- \$868,896	\$674,448- \$868,896	\$3,372,240- \$4,344,480

Philadelphia Commission on Human Relations (PCHR):

While this bill impacts the responsibilities of the Fair Housing Commission (FHC), the FHC receives their budget from PCHR. This bill would drastically increase the scope of the types of cases that would be heard by the Fair Housing Commission. For example, cases that may have previously been a contract dispute or a type of case that would be a private lawsuit, would now be eligible to be heard by the FHC. As introduced, this bill would increase the need for more staff to allow the FHC to handle the increased volume of cases which is expected to double. Currently, the FHC hears nine cases per week with each case taking approximately one hour. The commissioners currently volunteer their time to hear these cases and are only available to hold hearings two mornings each week. If enacted, this bill would require additional days and additional staff. Currently, only five staff members work for the FHC and a vacancy exists for the deputy director. Fulfilling the increased needs would require hiring up to eight new staff members, including a deputy director, a supervisor, three human relations representatives, a clerk, and two intake coordinators.

The Office of the Director of Finance:

The employee salaries would be funded through PCHR's budget, but the associated fringe benefits for these positions would be included in the Citywide fringes line in the Office of the Director of Finance's budget.

Legislative History**2011*****Bill 110498 - Enacted***

On June 9, 2011, former Councilmember Greenlee introduced legislation that, among other things, amended Section 9-804 of the Philadelphia Code, entitle "Unfair Rental Practices," by requiring that every lease provide that a housing provider be restricted from terminating a

lease based upon the tenant's status as a domestic violence victim. This legislation was signed into law by the Mayor on October 26, 2011.

2020

Bill 200159 – Enacted

On February 20, 2020, former Councilmember Gym introduced legislation that, among other things amended Chapter 9-800 of the Philadelphia Code, entitled "Landlord and Tenant" by adding the right for parties appearing before the Fair Housing Commission to be represented by a non-attorney representative to facilitate the factual presentation of the party's case(s).

Prepared by: Policy and Fiscal Analyst Unit, Mayor's Office of Legislative Affairs

Date: 06/03/2025

This document is a summary of proposed legislation as introduced and is prepared by the Mayor's Office of Legislative Affairs for general information only. It does not represent the official legal position of the City. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.