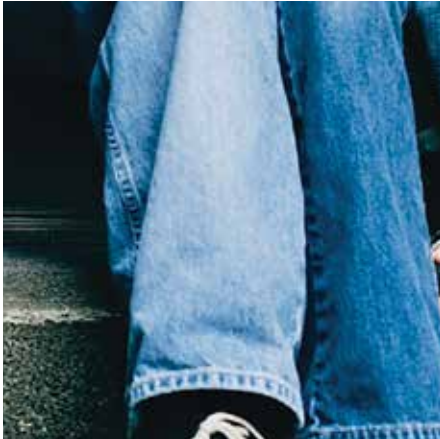


PARTNERS FOR GOOD HOUSING



City of Philadelphia
Department of Licenses and Inspections
Produced by the Commissioner's Office





PARTNERS FOR GOOD HOUSING

The City of Philadelphia, on behalf of its citizens, has set minimum health, safety, and maintenance standards for houses and apartments. Keeping the housing in our city up to these standards involves a partnership between tenant, landlord, and the City. All three must work together to provide decent housing for everyone.

The information in this guidebook applies to Philadelphia, Pennsylvania and is based on the Code of General Ordinances of the City of Philadelphia – particularly Title 4, the Building Construction and Occupancy Code.

Partners for Good Housing outlines the responsibilities of owners, tenants, and landlords for maintaining houses and apartments in a safe and clean condition.

Additional information, including online access to this booklet in multiple languages, as well as access to the Building Construction and Occupancy Code (which includes the 2015 Philadelphia Property Maintenance Code), is available at the Department's website: www.phila.gov/li.

**Thank you to the Department of Public Health and Environmental Health Services
for your ongoing support and contributions.**



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WHO NEEDS A RENTAL LICENSE?

The owner of any dwelling unit, multiple family dwelling, rooming house, dormitory, hotel, one-family dwelling, two-family dwelling, or rooming unit let for occupancy must obtain a Rental License. For more information visit the City's website, www.phila.gov, and see section 9-3900 of the Philadelphia Code. High-rise residential buildings, those with a floor 75 feet or more above the lowest level of fire department vehicle access, are also required to obtain an Annual High-rise License.

1. RENTAL LICENSE

For more information see section 9-3900 of the Philadelphia Code online at www.phila.gov/li.

EXCEPTIONS:

- A Rental License does not need to be obtained for an individual unit if one has been issued for the building in which that dwelling or rooming unit is located.
- A Rental License is not required if the property is occupied by an immediate family member.

Landlord Lead Paint Responsibilities

As of December 21, 2012, the Lead Paint Disclosure and Certification Law will require Philadelphia landlords to ensure that property rented to families with children six years and younger is lead safe when the following three conditions are met:

1. The property was built before 1978; and
2. There is a change of occupancy; and
3. Any new occupant is aged six years or less

Before a lease is signed the landlord must provide the tenant with a current certificate indicating that the property has passed a visual inspection for deteriorated paint and has been cleared by lead-dust wipe samples or is free of any lead paint.

Only a Pennsylvania Licensed Inspector, Risk Assessor or EPA Certified Lead-Dust Sampling Technician can provide a certification.

A copy of the certificate signed by the tenant, along with the dust wipe test results, must be sent to the Philadelphia Department of Public Health.

When signing an application for a new or renewed rental license, property owners are now required to indicate they are in compliance with this law. For more information, copies of the law, guidance for landlords, sample certificates, and more, go to: www.phila.gov/health/leadlaw.



2. COMMERCIAL ACTIVITY LICENSE (CAL)

Formerly known as the Business Privilege License, this license is required of every person desiring to engage in any business in the City of Philadelphia. It is a lifetime license with a one-time fee and applies to all businesses owned by a person under one name.

EXCEPTION:

- For a property with four or less rental units, where the owner lives on the premises, a Commercial Activity License is not required.

3. BUSINESS TAX ACCOUNT NUMBER

This is a number assigned by the Philadelphia Revenue Department to identify tax accounts. One number applies for all licenses obtained by an individual.

- The CAL and Business Tax Account Number are applied for using the same form. Only one Commercial Activity License and one Business Tax Account Number are required of one individual, regardless of how many rental properties he or she owns.
- In order to obtain the required license, property owners and landlords must be tax compliant.

4. ZONING APPROVAL

A property must be properly zoned in order to operate as a dwelling for rent. Zoning approval is required even if the owner occupies one of the units.

OTHER REQUIREMENTS

Each time a dwelling unit is rented to a new tenant, the owner must give the tenant:

- I. A Certificate of Rental Suitability issued by the Department no more than sixty (60) days prior to the start of tenancy.
- II. A copy of this booklet, *Partners for Good Housing*.
- III. The Certificate of Rental Suitability, which must include the owner's attestation to the suitability of the dwelling unit. (L+I will not issue a Certificate unless the owner has obtained all licenses required to rent the property.)
- IV. Any owner required to obtain a Rental License must designate a Managing Agent who resides in the city or regularly attends a business office within the city.
- V. An owner that resides within the city may act as the Managing Agent.

GENERAL REQUIREMENTS

- In the City of Philadelphia, the Department of Licenses and Inspections is responsible for enforcing both the Property Maintenance Code and the Fire Code.
- The Philadelphia Fire Code, which is referenced in this booklet, is available to view online at the Department's website, www.phila.gov/li.
- Tenants, landlords, and homeowners each have the duty to keep hallways, stairways, fire escapes, and exits clear at all times. Storage of any kind under stairways is prohibited unless the space is separated from the stair by fire-resistance-rated construction.
- Rubbish and garbage are not allowed to accumulate in any location inside a building, including basements, storage, electrical, mechanical or other equipment rooms. Rooms intended for trash storage must have sprinklers and be separated from the rest of the building by one-hour fire-resistance-rated construction.
- Rubbish, garbage or other materials shall not be stored or allowed to accumulate in stairways, passageways, aisles, doors, windows, fire escapes or other means of egress.
- Permitted amounts of paints and flammable liquids (including insecticides containing flammable materials) must be stored in a room separated from all other parts of the building by one-hour fire-resistance-rated construction.
- At least one fire extinguisher with a minimum rating of 2-A:10-B:C and a tag attached indicating inspections and maintenance performed during the past 12 months, is required in the public corridors or stairwells at each floor level of unsprinklered buildings. In buildings of three stories or less and having a single stairway, one such extinguisher is allowed, provided it is placed approximately equidistant from all dwelling units in the building.

As an alternative, if there are concerns about vandalism, theft, etc., a 2-A:10-B:C fire extinguisher can be mounted in each dwelling unit in the building.

- Except for one- and two-family dwellings, lighting is required in common corridors, stairways, and the exit discharge (exterior) to provide a light level of one foot-candle at the floor. This lighting must be on a circuit independent of any dwelling unit. In buildings that have more than one required exit, this lighting must have an emergency power source.
- In buildings that are required to have more than one exit (including fire escapes), exit signs are required to identify the means of egress from each floor. These signs are required to be illuminated at all times by both the normal and emergency power sources.
- In existing buildings that have more than one required exit stair, the stairs must be enclosed and separated from the corridor by fire-resistant construction. In non-high-rise buildings, doors in these exit or stair enclosures must be one-hour fire-rated self-closing doors or 1 ¾ -inch thick solid core wood self-closing doors.
- In buildings that have only one required exit, the doors from the apartments must be self-closing and one-hour fire-rated or 1 ¾-inch solid core wood door.



1. REQUIREMENTS FOR ONE- AND TWO-FAMILY DWELLINGS

Owners of one- and two-family dwellings (including owner-occupied one-family dwellings) are required to install smoke alarms powered by the building's primary power or a non-removable (sealed) 10-year battery. Smoke alarms should be installed as follows:

- In buildings built prior to January, 1998, smoke alarm interconnection is not required between multiple alarms within a dwelling unit. A permit is not required to install non-removable, battery-powered alarms; however, renovations that cause the removal of wall or ceiling coverings may trigger additional code requirements. See the Philadelphia Building or Fire Code, section 907.
- Smoke alarms must be installed in the immediate vicinity of the bedrooms and on each story of the house, including basements. In new dwelling units, they are also required in the bedrooms.
- Discretion should be used to place smoke alarms as near to the bedroom(s) as practical without causing activation by normal cooking activity or steam from bathrooms. In no event shall the detector be placed more than 15 feet from the bedroom door.
- In split-level dwellings without doors between adjacent levels, a smoke alarm is only required on the upper level, provided there is less than one full story between levels.
- In addition to the required smoke alarms, existing properties occupied as one- and two-family dwellings (R3) and those used as Residential Care facilities (R4) with five to 15 occupants, must be equipped with Carbon Monoxide (CO) detection. This detection may be AC or battery powered and should be located within 15 feet of the entrance to any bedroom or sleeping area. Combination Smoke/CO alarms are permitted.
- Annual certification of smoke alarms in one- and two-family dwellings is not required. However, upon sale of the property, the seller is required to certify in writing to the buyer that the required smoke detectors have been installed and are in proper operating condition.

2. REQUIREMENTS FOR RESIDENTIAL HOTELS, MULTIPLE FAMILY DWELLINGS, AND MIXED-USE OCCUPANCIES (RESIDENTIAL LOCATED ABOVE NON-RESIDENTIAL)

SMOKE ALARMS

- Smoke alarms are required within the dwelling units of buildings that are not sprinklered throughout, in the same fashion as described for one- and two-family dwellings, except that battery-powered units are not accepted for any of the required smoke alarms. These should not be connected to the building's automatic fire alarm system as their purpose is to sound their self-contained alarm only in the dwelling unit where they are activated.
- In existing high-rise buildings that are not sprinklered throughout, a smoke alarm is required in each bedroom in addition to the ones in the vicinity of the bedrooms.

FOR YOUR INFORMATION:

ACCORDING TO THE NATIONAL FIRE PROTECTION AGENCY, THERE ARE APPROXIMATELY 72,000 CARBON MONOXIDE INCIDENTS IN THE U.S. EACH YEAR

FIRE ALARM SYSTEMS

- A manual and automatic fire alarm system is required in the following occupancies:
 - Existing Use Group R1 (hotels, motels, etc.) except where specified in section 907.1.8 of the Philadelphia Fire Code
 - Existing Use Group R2 (buildings containing 3 or more apartments, condominiums, rooming units, dormitories, etc.) except where the building is protected by an automatic fire suppression system (sprinklers) or those meeting the exception specified in Fire Code section 907.1.9
 - Existing mixed use occupancies (for example, an apartment above a grocery store) except where the building is protected by an automatic fire suppression system (sprinklers)
 - Existing Use Group R4 (assisted living up to 16 occupants)
- An automatic fire alarm system consists of a fire alarm panel and system smoke detectors which differ from smoke alarms, and audible devices such as bells, or horn strobe combinations used for occupant notification unless normal operations in the space produce products of combustion that would activate smoke detectors.
- A manual fire alarm system consists of a fire alarm panel with manual activation, typically a pull or break-glass station and sounding devices similar to those referenced above.
- All fire protection equipment, including fire alarm systems, must be inspected, tested, and certified each year by a qualified licensed electrical contractor or licensed fire alarm inspector. Copies of the certification must be kept on site for a period of three years.
- A fire alarm panel is required to supervise all system components for proper continuous operation, to receive signals from the devices, to activate the sounding devices, and to provide back-up power in the event of the primary power failure. Fire alarm systems in high-rise buildings or those installed after January 1, 2004, are also required to be monitored in accordance with the Philadelphia Building Code.
- The Fire Department must be notified IMMEDIATELY through "911" of the activation of any fire alarm, excluding the household fire warning detectors that are installed in the dwelling units.

3. FIRE ALARM REQUIREMENTS UNIQUE TO BUILDINGS THAT REQUIRE MORE THAN ONE EXIT STAIR

- The fire alarm panel is required to have at least one zone per floor.
- A manual fire alarm box (break-glass or pull station) is required at each door from the corridor to building exit stairs on each floor. At each box, a sign should be affixed, stating "IN CASE OF FIRE: SOUND ALARM AND CALL 911."



4. FIRE ALARM REQUIREMENTS UNIQUE TO “SMALL” APARTMENT BUILDINGS

This type of building does not exceed three stories and has only one exit stairway or two exit stairways that are both visible from all points within a maximum 20-foot long vestibule or corridor between the stairs.

- The fire alarm panel is permitted to have a minimum of one zone that incorporates all of the system devices in the building.
- A manual fire alarm box (break-glass or pull station) is required only at the exit door from the stairway to the outside, not on each floor. At the box, a sign shall be affixed, stating “IN CASE OF FIRE: SOUND ALARM AND CALL 911”.

5. FIRE ALARM REQUIREMENTS FOR MIXED OCCUPANCIES

- An automatic electrically-powered fire alarm system with smoke detection is required in the non-residential use unless it is sprinklered throughout.
- Where the non-residential use is a drinking and/or dining establishment, heat detectors are permitted in lieu of smoke detectors in the kitchen, in patron areas where smoking is permitted, and in patron areas where skillet or sizzling-type entrees (such as fajitas) are served. All other detectors in the non-residential use are required to be smoke detectors.
- The sounding devices are required to be located in the non-residential use and typically in the stairway or hallways in multiple-family dwellings above. Where the use above the non-residential use is a single-family or two-family use where there is no common hallway or stairway serving all floors, sounding devices will be required in the dwelling unit(s). The sounding devices are required to be activated by the manual fire alarm boxes, fire suppression systems including commercial kitchen suppression, and all smoke detectors within the property excluding smoke alarms installed within dwelling units.
- Manual fire alarm boxes must be located at the exits from the non-residential use but be connected to sounding devices throughout the building. Manual fire alarm boxes are not required in the exits from the residential use if it is a one- or two-family dwelling.

FOR YOUR INFORMATION:

**ACCORDING TO THE U.S. FIRE ADMINISTRATION, COOKING IS
THE LEADING CAUSE OF FIRE IN RESIDENCES**

BASIC FACILITY REQUIREMENTS

REQUIRED PLUMBING FACILITIES

- Every dwelling unit is required to have the following:
 - A water closet (toilet) in a room that gives privacy.
 - A lavatory basin (sink) located in the same room as the water closet or in close proximity to the water closet room door.
 - A bathtub or shower in a room that gives privacy. This room may be the same as the room with the toilet or a separate room.
 - An openable window or an approved ventilating system in each bathroom.
- Rooming houses require one water closet for each four rooming units.
- All toilet rooms, bathrooms, and equipment must be kept in good working condition.
- Tenants must keep the bathroom and bathroom equipment clean and sanitary.

REQUIRED KITCHEN FACILITIES

- A kitchen sink
- Tenants are responsible to keep the sink clean and use it properly.
- Dwelling units must be provided with permanent cooking facilities .The cooking equipment must be properly installed, work safely and effectively, and be maintained in good working condition. The tenant must use the cooking equipment properly and must keep it clean and sanitary.
- Cooking and cooking equipment is not permitted in any Rooming or Dormitory Unit (coffee pots and microwave ovens are not considered cooking equipment).

FOR YOUR INFORMATION:

PORTABLE COOKING EQUIPMENT THAT USES FLAME IS PROHIBITED. COOKING EQUIPMENT THAT USES GASOLINE OR KEROSENE AS FUEL IS PROHIBITED.

WATER SYSTEMS

- The landlord must provide running water and facilities for hot water. Hot water must be available at not less than 110 degrees and not more than 125 degrees and at sufficient volume and pressure to enable the fixture to function properly.
- All plumbing equipment must be connected to the City water and sewage systems unless the City gives permission to use a private system.



HEATING FACILITIES

- The landlord must provide a central heating system or an approved separate permanent heating system for each rental house or apartment. Heating equipment must be safe, properly installed, and adequate to heat the entire dwelling unit.
- In buildings with two or more dwelling units and in rooming houses, the landlord must supply heat at a temperature of 68 degrees for each apartment from October 1 through April 30. Cooking equipment or appliances cannot be used for heating.
- The landlord does not have to supply heat if the dwelling unit is provided with separate permanent heating equipment solely under the control of the tenant of that apartment.
- Approved portable kerosene heaters are only permitted in one- and two-family dwellings provided they comply with the Fire Code. They should not be within 3' of combustible materials, have all fuel containers stored outside, should never be left unattended, be shut down before sleeping, and should only be re-fueled outdoors.

ELECTRICAL SYSTEMS

- Dwelling units must be served by a minimum three-wire 120/240 volt single-phase service not less than 60 amperes.
- Every habitable space must have at least two separate and remote electrical outlets. Bathrooms, closets, halls, storage, utility and similar spaces are not considered habitable space.
- Laundry areas must contain one grounded receptacle or ground fault circuit interrupter and bathrooms must contain at least one receptacle. New bathrooms require a receptacle with ground-fault-circuit interrupter protection.
- Every bathroom, toilet room, kitchen, laundry room, furnace room, interior stairway, and public hall must have at least one light fixture.
- Every public hall and stairway in buildings with three or more apartments must be lit by an electric fixture at all times.
- Multi-family dwellings (three or more) are required to have automatic exterior lighting over each street entrance and in each side or rear yard.
- Emergency lighting is required in hallways and stairways in buildings with two or more exits.

KEEPING HOMES, APARTMENTS, AND YARDS CLEAN AND SANITARY

KEEPING THE HOME HEALTHY AND SAFE

Mitigating environmental hazards in the home is the responsibility of and requires action from both landlords and tenants. The Philadelphia Department of Public Health recommends following the U.S. Department of Housing and Urban Development's Seven Tips for keeping a Healthy Home:

1. **Keep it Dry.** Prevent water from entering your home through leaks in roofing systems, keep rain water from entering the home due to poor drainage, and check your interior plumbing for any leaking.
2. **Keep it Clean.** Control the source of dust and contaminants, creating smooth and cleanable surfaces, reducing clutter, and using effective wet-cleaning methods.
3. **Keep it Safe.** Store poisons out of the reach of children and properly label them. Secure loose rugs and keep children's play areas free from hard or sharp surfaces. Install smoke and carbon monoxide detectors and keep fire extinguishers on hand.
4. **Keep it Well-Ventilated.** Ventilate bathrooms and kitchens, and use whole house ventilation for supplying fresh air to reduce the concentration of contaminants in the home.
5. **Keep it Pest-free.** All pests look for food, water and shelter. Seal cracks and openings throughout the home; store food in pest-resistant containers. If needed, use sticky-traps and baits in closed containers, along with least toxic pesticides such as boric acid powder.
6. **Keep it Contaminant-free.** Reduce lead-related hazards in pre-1978 homes by fixing deteriorated paint, and keep floors and window areas clean by using a wet-cleaning approach. Test your home for radon, a naturally occurring dangerous gas that enters homes through soil, crawlspaces, and foundation cracks. Install a radon removal system if levels above the EPA action-level are detected.
7. **Keep it Well-Maintained.** Inspect, clean and repair your home routinely. Take care of minor repairs and problems before they become large repairs and problems.

For more information, please visit www.hud.gov/healthyhomes.

GARBAGE AND TRASH

- The interior and exterior of every premise must be free from any accumulation of rubbish or garbage.
- Occupants must place all rubbish and trash in storage containers or in disposal equipment, such as incinerators.
- The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants, or an approved leakproof, covered, outside garbage container.
- Garbage, not ground or incinerated, must be placed in leak-proof containers with tight-fitting lids. Combustible waste must be placed in covered containers or in sturdy bags that are securely tied. Newspapers and magazines should be tied in bundles.



- All containers must be kept clean and sanitary.
- Refrigerators and similar equipment shall not be discarded or stored on premises without first removing the doors.

RECYCLING

- Recycling is the law in Philadelphia. If you don't recycle, you can be fined. Residents need to obtain their own recycling container - no larger than 20 gallons in size. Using multiple containers is okay, as long as they are used only for recycling set-out. A free recycling container may be available to city residents at any one of the Department of Streets' Sanitation Centers (call 215-685-7329).
- The City will collect recycling curbside at residential buildings of six or fewer dwelling units.
- Owners of buildings with more than six dwelling units are responsible for providing recycling services through their own means. Usually, this means through a private contract with a recycling service provider. Owners of condo and co-op buildings may elect to register with a Streets Department program.
- Landlords are responsible for notifying tenants of the City trash and recycling regulations.

CARE AND MAINTENANCE OF YARDS AND FENCES

- The landlord and the homeowner must ensure that their yards drain properly.
- The tenant must keep the yard clean and sanitary.
- Fences must be kept in good repair by the homeowner or landlord.

INSECTS AND RODENTS

- Owners are responsible for extermination within the structure prior to renting or leasing.
- The occupant of a single family dwelling must keep the house clean and sanitary. It is the occupant's responsibility to have insects, rodents, and/or other pests exterminated.
- The owner of a structure with two or more dwelling or rooming units is responsible for extermination of public or shared areas. If the infestation is caused by the failure of an occupant to prevent infestation, the occupant and the owner shall be responsible for extermination.

FOR YOUR INFORMATION:

**THE CITY HOLDS THE LANDLORD RESPONSIBLE FOR ALL REPAIRS
REQUIRED BY LAW, REGARDLESS OF ANY AGREEMENT OR LEASE
BETWEEN THE TENANT AND LANDLORD.**

HOW THE BUILDING CONSTRUCTION AND OCCUPANCY CODE IS ENFORCED

REPAIRS

- The landlord or homeowner is responsible for all repairs that are necessary to keep the building in good condition.
- All foundations, walls, roofs, floors, ceilings, windows, doors, stairs, and porches must be safe, weather-tight, and rodent proof.
- All interior doors, cabinets, shelves, and other supplied equipment must be kept in sound condition and good repair.
- Exterior wood or metal surfaces must be painted or covered with protective coating to prevent deterioration. Exterior walls must be pointed and cracks sealed to keep them weather-tight and waterproof.
- All plumbing and heating equipment must be properly installed, kept in good mechanical condition, and free from leaks and stoppages.

LEAD PAINT

- Lead paint shall not be permitted to remain on interior surfaces of any dwelling, rooming house, dwelling unit, or rooming unit occupied by children when the Department of Public Health determines that its presence creates a health hazard.
- The Environmental Protection Agency's Renovation, Repair and Painting Rule (the RRP Rule), has been in effect since June 23, 2008, to protect against hazardous lead dust. The RRP applies to renovation, repair or painting work in a property that:
 - Was built before 1978;
 - Is visited or occupied by children under six years of age; and
 - Will disturb more than six square feet of painted surface on walls or woodwork (interior) or 20 square feet (exterior)
- There is no safe level of lead in the human body. Children under the age of six are most susceptible to the effects of lead. Even at low blood lead levels, the result of lead exposure can result in behavior and learning problems, lower IQ and hyperactivity, slowed growth, hearing problems, and anemia.

If the landlord does his/her own work on rental properties subject to the RRP rule and/or uses his/her own employees to do so, the landlord must be an EPA-certified RRP firm and only use trained and certified workers to do the work. If the landlord hires a contractor to do the work, the landlord does not need to be certified, but the contractor doing the work does.

For more information, please see the EPA website at: <http://epa.gov/lead/rrp>.



GENERAL

The City enforces the Building Construction and Occupancy Code by sending inspectors to examine housing conditions. The Department of Licenses and Inspections is authorized and directed by law to conduct such inspections at reasonable times. Inspectors must show proper identification.

When a violation is found, the Department notifies the responsible party – either the landlord, the tenant, or the homeowner. That person is told to correct the violation within a certain period of time.

At the end of that time, there will be a re-inspection. If the person has not corrected the violation, the Department lists the case for a hearing before the Municipal Court and the person is notified of the date to appear. The Municipal Court is empowered to fine the guilty party.

In extreme cases such as structurally dangerous buildings, properties which are vacant and open to trespass, or those with hazardous material storage, the Department is authorized to correct any violations which are considered unsafe or hazardous, if the violations are not corrected. The City charges the cost of the corrections to the violator and, with the approval of the Law Department, can collect the cost by liens on the property.

COMPLAINTS

If the landlord is not carrying out his or her responsibilities, the tenant should tell the landlord what the problems are. If the landlord fails to act, the tenant should report the problems to the Department of Licenses and Inspections by calling 311.

When filing a complaint, the person must give his or her name and/or address, the address of the property, and the nature of the complaint. A case will be generated and referred to the appropriate inspection unit.

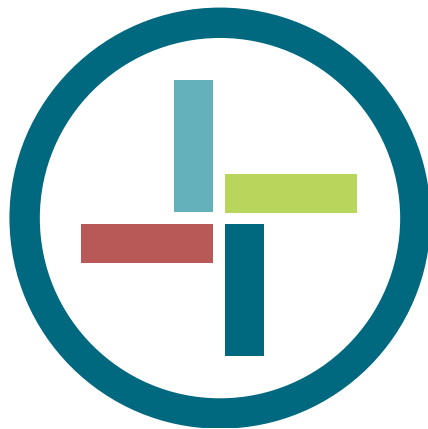
If an inspector is unable to enter the property, he or she will leave a card. The recipient is required to call the number on the card to arrange for an inspection.

The Department does not divulge the identity of a complainant.

APPEALS

Any person who believes that the Department has erred in some action that has been taken, or wishes to obtain a variance from the requirements of the Building Construction and Occupancy Code, may appeal to the Department's Boards Administrator. The Administrator is located at the following:

MUNICIPAL SERVICES BUILDING
1401 JOHN F. KENNEDY BOULEVARD
PHILADELPHIA, PA
215-686-2427



City of Philadelphia
Department of Licenses and Inspections (L+I)
1401 JFK Boulevard, 11th Floor
Philadelphia, PA 19102
215.686.2400

phila.gov/LI