



City of Philadelphia



Department of Licenses and Inspections

PARTNERS FOR GOOD
HOUSING

Revised - April 2004

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.



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Source: 2004 Philadelphia Building Construction and Occupancy Code

WHO NEEDS A RENTAL LICENSE ?

GENERAL INFORMATION

Anyone who offers a dwelling unit or rooming unit for rent must obtain proper licenses and zoning approval from the Department of Licenses and Inspections (L & I). This will include all of the following:

1.) **HOUSING INSPECTION LICENSE**

A Housing Inspection License (issued by L & I) is required of any person who offers for rent a one-family dwelling, two-family dwelling (duplex), a dwelling with three or more units (whether rental, cooperative, or condominium), or a rooming house, dormitory, or hotel.

- Each time a dwelling unit is rented to a new tenant, the owner must give the tenant a written statement certifying that the rental unit is licensed and listing the license number.

2.) **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.

EXCEPTION: In a property with four or less rental units, where the owner lives on the premises, a Business Privilege 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 a person.

- The Business Privilege License and Business Tax Account Number are applied for using the same form. Only one Business Privilege License and one Business Tax Account Number is required of one person, regardless of how many rental properties a person owns.

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

- The owner of a multiple-family dwelling, rooming house, dormitory, or hotel is required to name a managing agent over the age of eighteen (18) years to receive service of notices, orders, or summonses issued by L & I. The managing agent is required to have a residence or a regularly attended business office within the City of Philadelphia. If the owner meets these qualifications, he or she may be designated the managing agent.

For Your Information:

- * The owner of any rental dwelling unit or rooming unit can not legally collect rent without having the required licenses.
- * An owner can not proceed with an eviction without the required licenses.

FIRE PREVENTION

GENERAL REQUIREMENTS

- In the City of Philadelphia, the Department of Licenses and Inspections is responsible for enforcing both the Property Maintenance Code and the International Fire Code. Inspections of residential structures are conducted by the Department's Housing & Fire inspectors.
- 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 storage 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.
- 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.

Information about permitted amounts of flammable liquid is available from the Department of Licenses and Inspections by calling **215-686-2534** or **215-686-2535**.

- At least one fire extinguisher with a minimum rating of 2-A:10-B:C 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 exit stair, this lighting must have an emergency power source.
- In buildings that are required to have more than one exit stair (including fire escapes), exit signs are required to identify the means of egress from each floor. These signs are required to be illuminated by both the normal and emergency power sources.
- In existing buildings that have more than one exit stair, the stairs must be enclosed and separated from the corridor by fire-resistant construction. In non-high rise buildings, doors in these 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 exit stair, the doors from the apartments must be of the type specified in the paragraph above.

FIRE ALARM REQUIREMENTS

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 electric or battery-powered smoke detectors as follows:

- In existing one- and two-family dwellings, the detectors are permitted to be battery-powered and interconnection is not required between the several detectors in a dwelling unit. A permit is not required to install battery-powered detectors.
- In new one- and two-family dwellings (newly-built or newly-established in an existing building), the detectors are required to be powered by the primary alternating current (AC) power source in the building. The power must be supplied from an unswitched portion of the branch circuit or from a dedicated branch circuit.

Interconnection of the several detectors installed in new dwellings is required such that the actuation of one detector will actuate all the alarms in the dwelling. An electrical permit (plans are required to be submitted with the application) is required to be obtained by a licensed electrical contractor from the Department of Licenses and Inspections prior to the installation of these detectors.

- The smoke detectors are required to be labeled for “Household Fire Warning” in accordance with UL 217. These are referred to as single- or multiple-station smoke detectors.

- Smoke detectors 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 the detector as near to the bedroom(s) as practicable without having it activated by normal cooking activity or steam from bathrooms.
- In split-level dwellings without doors between adjacent levels, a smoke detector is only required on the upper level, provided there is less than one full story between levels.
- Annual certification of detectors 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.
- Manual fire alarm boxes (break-glass or pull stations) are not required in the exits that serve one- or two-family dwellings.

2.) REQUIREMENTS FOR FIRE ALARMS IN MULTIPLE-FAMILY DWELLINGS AND ROOMING HOUSES

- Household Fire Warning-type detectors 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 detectors are not accepted for any of the required detectors. These detectors 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 detector is required in each bedroom in addition to the ones in the vicinity of the bedrooms. Interconnection of the detectors within a single dwelling unit is required where the sound level of any detector is less than 15 dBA above the ambient noise level in any occupied space within the dwelling unit with intervening doors closed.

- An automatic fire alarm system is required in unsprinklered buildings in all areas that are accessible to more than one tenant (common areas) such as stairways, corridors, storage areas, laundry rooms, basements, etc. The detectors are required to be labeled for system use. In some cases, household fire warning detectors (the type approved for use within dwelling units) have been installed in these areas. They are not system detectors and must be replaced with labeled system detectors.

- Automatic fire detection is required to be smoke detectors unless normal operations in the space produce products of combustion that would activate smoke detectors. These spaces include boiler or furnace rooms, garages, laundry rooms, etc. In these spaces only, heat detectors are recommended and accepted in lieu of smoke detectors.
- The sounding devices (bells, horns, whoop tones, etc.) of the fire alarm system must be loud enough to be heard in all parts of the building. The required level of audibility is 70 dBA (decibels) in each sleeping room. It may be necessary to locate sounding devices within the apartments in order to achieve the required sound level.
- Visible alarms (strobe lights) are only required when the building houses the hearing impaired.
- A fire alarm panel is required to supervise all fire alarm systems 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. The manual boxes, system smoke and heat detectors, and sounding devices are connected to the panel. Note that the single- and multiple-station smoke detectors located within the dwelling units are not connected to the panel.
- In existing buildings, connection of the fire alarm system to a central station is only required for high-rise buildings. In new buildings or newly-established residential uses, buildings of five stories or more require fire alarm connection to a central station.

For Your Information:

* An electrical permit is required to be obtained by a licensed electrical contractor from the Department of Licenses and Inspections prior to installation of both the household fire warning detectors within dwelling units and the automatic fire alarm system. (Plans are required to be submitted with the permit application.)

- All fire alarm systems are required to be inspected, tested, and certified by a licensed electrical contractor upon installation and annually thereafter.
- Any reduction in fire protection (fire alarm, fire sprinkler, or standpipe system) of any duration for any reason, must be reported to the Fire Department at 215-922-6000.
- 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 UNIQUE TO BUILDINGS THAT HAVE RESIDENTIAL USES ABOVE NON-RESIDENTIAL USES

- 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 and all detectors, except by those inside the 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.

- The residential portion of the building is required to have the automatic fire alarm system as determined by the classification of the residential use.

For Your Information:

* It is the OWNER'S responsibility to supply, install, and maintain all required fire alarm equipment, including detectors. The owner must also test detectors in common hallways, stairways, basements, and other areas common to more than one tenant. The owner is required to repair or replace any detector that is not operating at the time of testing.

* It is the TENANT'S responsibility to test all detectors located within their dwelling unit. These should be tested at least once a month. The owner should be notified in writing of any defects in the operation of any detector. However, the tenant is responsible for the replacement of batteries in battery-operated smoke detectors in one- and two-family dwellings.



BASIC EQUIPMENT AND FACILITIES THAT MUST BE PROVIDED AND MAINTAINED

BATHROOM EQUIPMENT AND FACILITIES

- It is the responsibility of the landlord to provide inside each rented house or apartment the following:
 - A flush toilet in a room that gives privacy
 - A lavatory basin 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 electric light fixture in each bathroom
 - A window or an approved ventilating system in each bathroom. The window must be operable and must face to the outdoors. The ventilating system must be capable of changing the air content of the room at least six (6) times per hour.
- All bathroom equipment must be kept in good working condition. The bathroom floor must have a good surface for easy cleaning and must be substantially impervious to water.
- The tenant must keep the bathroom and bathroom equipment clean and sanitary and must use the equipment properly.

KITCHEN EQUIPMENT AND FACILITIES

- The landlord must provide a kitchen sink within each rental house or apartment. The sink must be in good condition. The tenant must keep the sink clean and use it properly.
- The landlord must provide cooking equipment in each rented house or apartment. 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.

For Your Information:

* Portable cooking equipment that uses flame is prohibited. Cooking equipment that uses gasoline or kerosene as fuel is prohibited.

WATER AND SEWAGE SYSTEM

- 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 must flow at a rate of at least one gallon per minute at each required lavatory, sink, bathtub, shower, and laundry facility.
- All plumbing equipment must be connected to the City water and sewage systems unless the City gives permission to use a private system.

HEATING SYSTEM AND THE PROVISION OF ADEQUATE HEAT

- 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 dwelling unit to 68 degrees at all times that the outside temperature is at or above 10 degrees.
- In buildings with two or more apartments, the landlord must supply heat at a temperature of 68 degrees for each apartment from October 1 through April 30 and during May and September when the outside temperature falls below 60 degrees.
- The landlord does not have to supply heat if the tenant is provided with separate heating equipment solely under the control of the tenant of that apartment.
- Approved portable kerosene heaters are only legal in one- and two-family dwellings provided they comply with the International Fire Code.

ELECTRICITY, NATURAL LIGHT, AND VENTILATION

- Each rental rooming unit and apartment must be equipped with electricity, have adequate natural light, and provisions for ventilation.
- Natural light must be available in every room by one or more windows facing directly to the outdoors. The tenant must be able to open the window(s) in order to provide ventilation, unless there is a safe ventilating system capable of changing the air content of the room at least six (6) times per hour. A skylight may be used as a required window.
- Every room must have at least two electrical outlets; one of these outlets may be a ceiling light fixture. Every bathroom, water closet compartment, laundry room, furnace room interior stairs, 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.
- Every public hall and stairway in two-family dwellings must have a lighting system that can be easily turned on and off when needed.
- Emergency lighting is required in hallways and stairways in buildings with two or more exits.

KEEPING HOMES, APARTMENTS, AND YARDS CLEAN AND SANITARY

GARBAGE AND TRASH

- The tenant and the homeowner must place all garbage and trash in storage containers or in disposal equipment, such as incinerators. They must place their own containers out for City collection. Trash must not be put out before 7:00PM the evening before trash is collected.

In buildings with two or more apartments, the landlord must provide a common storage area for trash and garbage containers or common disposal equipment, such as an incinerator. The landlord must see to it that all shared containers are placed out for collection. The tenant must be careful not to spill garbage and trash in halls or on stairways.

- Garbage 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.

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 if only the tenant has access to the yard. If the yard is shared with other occupants, the landlord is responsible.
- Fences must be kept in good repair by the homeowner or landlord.

INSECTS AND RODENTS

- In one-family houses, the tenant or homeowner must keep the house clean and sanitary. It is the occupant's responsibility to have insects, rodents, other pests exterminated.
- Where there are two or more apartments in a building, the landlord must keep all shared or public areas of the buildings clean and sanitary.
- The tenant must have any insects, rodents, or other pests exterminated if the tenant's apartment is the only one infested. Otherwise, it is the responsibility of the landlord to have such pests exterminated.

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.

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.

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.



HOW THE BUILDING CONSTRUCTION AND OCCUPANCY CODE IS ENFORCED

GENERAL

The City enforces the 2004 Building Construction and Occupancy Code laws 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. The inspector will secure a warrant from a court if the owner or tenant refuses to allow access.

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.

The Department is also 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.

The Department may also purchase and supply heat to tenants on an emergency basis between October and May when the heat does not meet the minimum requirements of the law.

DESIGNATION OF DWELLINGS AS “UNFIT FOR HUMAN HABITATION”

When the Department finds that any dwelling is a serious hazard to the health or safety of the occupants or to the public because it is unsanitary, vermin-infested, or lacking in the required facilities and equipment, the Department can designate the dwelling as “Unfit for Human Habitation”.

Any dwelling designated as unfit shall be vacated within a reasonable time specified by the Department. It shall not be used for human habitation until the hazard has been eliminated and the Department has removed the designation and given written approval for occupancy.

For Your Information:

* Persons who must vacate an unfit dwelling can request help in finding housing. Contact the **Office of Emergency Shelter and Services**, 1340 Cherry Street, Philadelphia, PA. Phone Number: 215-686-7150

SPECIAL NEIGHBORHOOD PROBLEMS

UNSAFE OR IMMINENTLY DANGEROUS BUILDINGS

When a neighborhood has buildings that are a serious hazard to the health or safety of the people living in them or to the public, a complaint may be filed with the Department of Licenses and Inspections and the building will be inspected. The Department may order the buildings to be vacated, boarded up, made safe by repairs, or demolished.

VACANT HOUSES

Owners are responsible for keeping all openings in vacant buildings sealed and the premises clear and free of debris. If the owner fails to meet this obligation, the Department may arrange to clean and seal the building and bill the owner for the costs. The Department may also consider a dilapidated vacant building as “unsafe” and order it demolished. When a vacant building is demolished, the Department requires the contractor to maintain the structural and weather integrity of any adjoining party walls.

ZONING

Sometimes neighborhoods are harmed by the conversions of houses into apartments or by undesirable commercial or industrial uses.

The City has a zoning ordinance that protects neighborhoods from these conversions and harmful intrusions.

In cases where a variance is required for a new zoning use, a Zoning Notice must be posted on the property, indicating a public hearing on the proposed use.

Citizens who believe that there is a zoning violation in their neighborhood should file a complaint with the Department of Licenses and Inspections.

For Your Information:

* To file a complaint, contact the Department of Licenses and Inspections' **Services and Operations** unit.

Phone Number: **215-686-2463**

HOW TO FILE A COMPLAINT OR AN APPEAL

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 problem to the Department of Licenses and Inspections, Services and Operations unit, by calling **215-686-2463**.

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 and will not accept anonymous complaints.

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 2004 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

Call **215-686-2427** for more information.

THANK YOU FOR YOUR COMPLIANCE WITH STATE AND LOCAL LAW
AND YOUR COOPERATION WITH L & I PROCEDURES AND REGULATIONS.

NOTES:

