



HAPCO NEWSLETTER

Serving Philadelphia's Investment & Rental Property Community

[Message from the President:](#)

Why We Do What We Do

"Thank you sir, may I have another!"

If you're of a certain age (and yes, immaturity level), you'll remember the hilarious 1978 coming-of-age college fraternity movie "Animal House", in which Kevin Bacon's character repeatedly uttered that now infamous phrase while being paddled on his rear-end by a fraternity elder while pledging to join. Despite the paddling, he wouldn't (ahem) back down. "Thank you, sir, may I have another!" He kept coming back for more.



Greg Wertman

see "What We Do" on page 14

Longtime HP Members Sets Media Straight On Rent Control

Council Keeps Forgetting Rental Owners Are Small Businesspeople

After the recent lopsided City Council hearing and media coverage on rent control, rental owner Pauline Rosenberg gets another Letter to the Editor published in the Philadelphia Inquirer. It's testament to the clout and respect Pauline and HAPCO Philadelphia have earned over the years.

see "Rent Control" on page 3

HP's Election Guide for Mayor

Who's running, and where they stand on housing issues



Warren Bloom, Amen Brown, Jeff Brown, Jimmy DeLeon, Allan Domb, Helen Gym, David Oh, Cherelle Parker, Rebecca Rhyhart. Credit: website campaign photos.

Philadelphia's municipal election is on May 16th, when voters will select a democratic candidate for mayor to square off against the only Republican in the race, former City Councilmember David Oh. The next Philadelphia Mayor will guide the conversation on issues including affordable housing, rent control, eviction diversion, and taxes. Hapco Philadelphia reached out to all the major candidates and asked if they'd like

to provide a short video or statement about their positions. Four candidates responded: Jeff Brown, Allan Domb, Rebecca Rhyhart and David Oh. You can see their complete statements on our website. Listed alphabetically, here is a brief summary of the candidates' positions based upon the responses they provided, information we gathered from previous mayoral debates and from online

see "Election Guide" on page 4

Philly's Private Landlord-Tenant Officer System Has Worked for Decades

Recent Incident Is No Reason To Throw It Out

By HP Board of Directors Editorial Staff

HAPCO Philadelphia was saddened to hear of the incident involving the landlord-tenant officer and the renter.

Since the use of private landlord-tenant officers began in the late 1960s, we recall just three incidents between renters and landlord/tenant officers. In one instance, an officer shot a tenant. In another, a tenant took their own life. And the third instance is this most recent one.



State Senator Nikil Saval: Courtesy of Ballotpedia; State Senator Sharif Street: Courtesy of the Pennsylvania State Senate.

It doesn't make sense to do away with a system that has worked well and has had only three incidents in more than half a century.

see "Officer System" on page 9

Navigating Rental Discrimination: A Guide for Tenants

By Patrick Freeze

Landlords must treat all rental tenants equally. However, you may encounter a landlord or rental owner discriminating against you or someone else. Whether they refuse to rent to you based on age or race or refuse to make reasonable accommodations, rental discrimination is illegal. To learn more about rental discrimination and what to do if you experience it, read along as we review everything you need to know.

What Is Rental Discrimination?

Whether you're a landlord, tenant, or Philadelphia property manager, it's crucial to recognize the business impacts of rental discrimination. In addition, being discriminatory toward potential tenants is illegal and can result in major lawsuits.

Rental discrimination occurs when landlords treat potential tenants differently based on certain characteristics. For instance, it's considered discrimination if a landlord treats or behaves differently toward renters based on race, color, religion, and other protected classes. Examples of rental discrimination include:

- Charging higher fees to tenants with children.
- Falsely denying that a rental unit is available for some tenants.
- Refusing to allow a service animal for a disabled tenant.
- Knowing the difference between discrimination and valid business practices is essential.

For instance, landlords can select tenants based on valid reasons, like requiring a minimum income or positive references. However, landlords must set the same standards for each rental applicant. Otherwise, it could be considered rental discrimination. Next, we'll review the Fair Housing Act and what it prohibits for rental housing.

What Is the Fair Housing Act?

In 1968, Congress passed the Fair Housing Act to help prevent housing discrimination. The Fair Housing Act sets guidelines to prevent people from being denied fair and equal treatment while buying or renting real estate.

For instance, the Fair Housing Act prohibits housing discrimination because of the following characteristics:

Race • Color • Religion • National Origin
Sex • Gender Identity • Sexual Orientation
Familial Status • Disability

When it comes to selling or renting real estate, it's illegal to take any of the following actions based on the above characteristics:

- Refuse to rent or negotiate for housing
- Make housing unavailable
- Set different terms or rates
- Provide different housing services or facilities
- Falsely deny that housing is available for rent
- State or advertise a rental that indicates preference, limitation, or discrimination
- Impose different pricing for some tenants
- Use different qualification criteria for some tenants
- Evict a tenant or their guests
- Harass a tenant or rental applicant
- Limit privileges, services, or facilities
- Discourage the renting of a certain unit
- Assign a person to a particular building, neighborhood, or section of a building

Signs You're Being Discriminated Against

Rental discrimination can be blatant, but sometimes, it can be challenging to recognize when you're being discriminated against. However, it's crucial to know how to protect yourself if you are experiencing discrimination. So, here are some examples



of what landlord bias or prejudice can sound like in rental housing.

- Housing advertisements that say "no kids" or "adult applicants only"
- Asking what your religion is before offering a rental unit
- Requiring that you speak English to occupy a particular dwelling
- Offering rentals to married couples only
- Refusing to make reasonable accommodations or modifications for tenants with disabilities
- Offering to lower the rent payment for personal favors
- Steering certain applicants to racially segregated neighborhoods

Steps to Take if You Experience Discrimination

Again, it can be tricky to recognize rental discrimination in some cases. However, if you think you're being discriminated against, taking the right measures to protect yourself is crucial. So, here's what to do if you think you're experiencing rental discrimination.

- File a Federal Complaint
- Get State or Local Assistance
- Know the Laws
- File a Federal Complaint

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Rent Control *continued from page 1*

Dear Inquirer Editors:

As council members consider rent control, they also need to consider its unintended consequences.

First of all, there is no cap on expenses for housing providers. Taxes, insurance, utility, and maintenance costs will continue to go up. Unable to increase rents, housing providers will see profits decrease. It is very likely small Mom and Pop providers will sell their holdings and invest elsewhere. For those who stay, they will not make capital improvements.

I renovated a property, spending \$50,000 on a new kitchen, bathroom and other amenities. Of course, I raised the rent. Even with the rent increase, it will take me 5 years to recoup my investment. Would this happen in a rent-controlled property? Absolutely not. In most cases where rent control was established the cost of rents in surrounding neighborhoods went up because of increased demand.

Rent control also discourages new investors from constructing new properties. Because of these negative consequences, 37 states in our country have banned rent control.

Instead of rent control, help tenants who can't afford rents with direct subsidies. Improve the current Section 8 program which is a bureaucratic disaster. Work with housing providers to come up with solutions.

Make the relationship less adversarial and more cooperative. Putting the entire responsibility for affordable housing on housing providers is short sighted, inequitable and will drive many of us out of business. More importantly, statistics tell us, it has never worked. Housing stock decreases, blight spreads and rents go up in bordering neighborhoods.

Good intentions can have disastrous consequences.

Pauline Rosenberg

Advertising Rates and Information about the Hapco Monthly Newsletter

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Election Guide *continued from page 1*

content. We strongly encourage you to re-search the candidates further and be sure to vote on May 16th! The future of our industry depends on it!

DEMOCRATS

Warren Bloom's website says he will fight for private property owners and property renters. Little information was provided.

Amen Brown is a second-term state representative from West Philadelphia. "Project HOME" asked Brown how he would address homelessness. He said his administration would evaluate systems and processes to reduce barriers to development, e.g., supporting efforts to reform zoning, implementing one-stop permit shops and developing city-owned properties for affordable housing. As the city grows, he says, it is inevitable for development to take place, but we have to make sure communities are not displaced in the process.

Jeff Brown has never held elected office, but he is a business owner with more than a dozen local grocery stores. He says the city has a housing shortage and needs more affordable housing. Brown says people are being chased out of their homes because of high taxes, and he supports a 5% cap on real estate taxes. He wants to sell off the 8,000 properties in the city's Land Bank to increase affordable housing stock. He does not support rent control, saying "once you institute it, it depresses the real estate market. And when you depress the real estate market, it convinces

lenders, investors and developers not to develop here." He also wants to automate government processes to make doing business with the city easier. Watch his video to HP members on our website.

Jimmy DeLeon, a retired municipal Court Judge, has a Housing Plan on his website that includes citywide rent control, listening sessions with housing advocates, rent-to-own affordable housing programs for first-

time home buyers, and setting goals to reduce homelessness.

Allan Domb says the affordable housing problem goes hand-in-hand with the low-income problem, because Philadelphia ranks among the lowest of the top-50 cities for average income. He says the city must create opportunities to bring in more employers with better paying jobs. He wants to lever-

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Warren Bloom, Amen Brown, Jeff Brown, Jimmy DeLeon, Allan Domb, Helen Gym, David Oh, Cherelle Parker, Rebecca Rhyhart. Credit: website campaign photos.

Election Guide *continued from page 4*

age the Land Bank for private investment. He also wants to investigate whether the city can buy down interest rates to make affordable housing development more attractive to investors. Domb supports extending good cause eviction protection to all residential leases, but he opposes rent control, saying it has repeatedly not worked. He says 90% of the owners of properties are "mom and pops", so rent control would hurt investors. He says he'll put his 40 years of experience in housing and business to advocate for more housing options. Read his full statement on our website.

Helen Gym, former city councilmember, will not rule out rent control. In fact, all indications are that she supports it. "I have been one of the few Councilmembers who believe that forms of rent stabilization have to be on the table. We cannot subsidize our way out of this. We're going to have to have a serious conversation about how to keep rent stable and affordable," she said at an April 20th mayoral forum, as reported by the Philadelphia Inquirer.

Cherelle Parker is a former city councilmember and state representative. The April 10 Inquirer article, "Councilmember Cherelle Parker held a tight rein on development.

What would she do as mayor?", says Parker is known for her hands-on approach to land-use issues and quotes her as saying that she will balance neighborhood interests with new development and the city's economic health. "People who live in the community have a right to be one of the major stakeholders," she said. The article cites several examples of her use of "councilmanic prerogative" to ward off development that she feels won't fit a neighborhood, particularly development that would increase density. The report also says, "she twice went to court to block landlords seeking to carve out rental units from their properties."

Rebecca Rhyhart, as former city controller, focused on improving transparency and was the city's spending watchdog. She says she will confront the city's lack of affordable housing by working to develop the 8,500 vacant city-owned lots. She says her plan would not negatively impact stakeholders such as mom-and-pop landlords. "I would expand the renter eviction program to make sure that families are not kicked out of their homes for unjust reasons while at the same time ensuring that mom-and-pop landlords can keep their rents paid. I support using rent subsidy programs in areas of our city with increasing property values and rents to

enable people to stay in their communities. I do not support rent control," she tells us. She says that many programs are in place to keep homeowners in their homes in gentrifying areas, but the city must do a better job of educating people about their options, which is why she'll create a door-knocking campaign to get homeowners enrolled. Read her full statement on our website.

We could not find a website for Delscia Gray or reach her for comment.

REPUBLICANS

The lone Republican candidate, former city councilmember David Oh, tells us he would increase the funds made available to the Housing Trust Fund to support new development and to repair existing units. He would reform the Office of Property Assessment to ensure an accurate assessment of property to avoid overtaxation. He would also create an emergency hearing process for property owners dealing with squatters. Oh does not support rent control, because he says it will drive up the costs of rentals and reduce the quality of units. He also says he does not support a continuation of the eviction diversion program, because the pandemic is over. Watch his video to HP members on our website.

Voting in the upcoming PRIMARIES

The Philadelphia Citizen

<https://thephiladelphiacitizen.org/complete-guide-primary-election-2023> offers a great deal of online information and pertinent and revealing interviews about each of the candidates. This is definitely a site that is worth exploring if you want to be informed about voting in the upcoming **May 16, 2023** primary elections.

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Report: Pennsylvania 41st for road quality, cost-effectiveness

By Anthony Hennen | The Center Square

A new report finds that Pennsylvanians have little to celebrate about its highway system when it comes to spending money efficiently.

The Reason Foundation's 27th annual Highway Report gave the commonwealth a poor grade: 41st in the nation for highway performance and cost-effectiveness. The report compares states' management and maintenance of their highway systems and tracks national trends.

"The condition of the highway system has improved slightly over the past couple years," said Baruch Feigenbaum, lead author and senior managing director of transportation policy at the Reason Foundation. "The spending has actually been in line with the Consumer Price Index ... We also find that the condition of the roadways, the pavement improved somewhat, traffic congestion improved somewhat as well."

Though pandemic-related changes such as the boost for remote work was a factor, not all changes were positive.

"We did, however, find that the fatality rate is ticking up," Feigenbaum said. "That is a little bit troubling because for 40 years, it was decreasing."

Pennsylvania scored better than New Jersey (44th) and New York (49th), but lagged behind the rest of its neighbors. To the west, Ohio scored significantly better: 17th.

Though Pennsylvania scored poorly overall, one of its highest ratings bucked the national fatality trend. Pennsylvania was ninth for rural fatalities, 29th for urban fatalities, and 35th for other fatalities.

Deaths due to distracted driving have gone up since the pandemic, as The Center

Square **previously reported**, and pedestrian deaths **have significantly risen** over the last decade.

Feigenbaum emphasized that the transportation officials in the state deserve credit for doing better than most in reducing rural fatalities. He pointed to effective enforcement of driving laws and four-lane roads as possible explanations for reducing head-on collisions.

To improve in other areas, leaders need to take note of other states. The improvements in recent years nationally didn't happen in a vacuum.

"It's definitely better management practices and states learning from each other in terms of the best way to cost-effectively build roads," Feigenbaum said.

He argued that a design-build approach to roads, where one firm designs and constructs a project, rather than a design-bid-build approach, where multiple firms work on a project, could give Pennsylvania better results.

"If Pennsylvania was able to do (design-build), they could construct projects probably 20%-30% cheaper than they're doing right now, both in construction and maintenance," Feigenbaum said.

PennDOT officials emphasized their dedication to infrastructure improvements.

"We believe investment in our infrastructure is critical and bringing Pennsylvania's infrastructure into a state of good repair is a top priority of the Shapiro Administration," PennDOT Press Secretary Alexis Campbell said. "Reducing and eventually eliminating transfers to the PA State Police, as proposed in Governor Shapiro's budget, will help ensure that these much-needed state dollars will be used to support our large and aging roadway and bridge network."



An expressway with vehicles near Philadelphia. Photo: Stephen Finn / Shutterstock

Campbell also noted progress on improving the commonwealth's bridges.

"PennDOT has made a concerted effort to reduce the number of poor bridges in Pennsylvania," she said. "As of today, our Bridge Conditions website shows we have gone from 6,034 of state-maintained bridges in poor condition [2008] to now 2,352 [2023]. We will continue to improve on this number."

Looking toward some of the highest-scoring states, such as Virginia and North Carolina, as models could bring improvements. The **Reason report** suggested Pennsylvania prioritize spending on roadway and bridge maintenance and improve pavement conditions.

Maintenance has been a recurring theme in transportation discussions in the state; experts have testified about the financial burden that comes from deferring maintenance, as The Center Square **previously reported**. The tradeoff of saving money today can mean a higher cost tomorrow.

To make lasting improvements might also require a deeper change from both transportation officials and state legislators.

"(In Virginia), transportation has remained relatively bipartisan in a time when not much is bipartisan," Feigenbaum said. "Political will or having a project champion is really important ... There has to be a sort of acceptance that transportation is one of the more important things. There's got to be some political courage and using some political capital in order to get projects done."

Sheriff Rochelle Bilal Spoofing Scam

Speakers: Sheriff Rochelle Bilal and Mike Lee, Chief of Staff, Philadelphia District Attorney's Office

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been a victim of one of these spoofing scams, please file a report with your local police department or contact the District Attorney's Office.

We are doing everything we can to assist and identify the people who are responsible for these spoofing scams and remain committed to protecting and serving the Philadelphia community. Please visit the FCC's website for more information on ways to avoid spoofing calls at Stop Unwanted Robocalls and Texts | Federal Communications Commission (fcc.gov).

About the Office of The Sheriff of Philadelphia

As the pandemic continues, the Philadelphia Sheriff's Office wants to ensure that Philadelphia residents can remain in their homes, which is why the Sheriff's Office supports any programs that help residents. It is important that Philadelphia residents contact the Sheriff's Office if they believe they have been illegally evicted by someone who was impersonating a Deputy Sheriff. The Sheriff's Office will also continue to host food giveaways and virtual town halls to answer any questions that residents may have. If there are any questions that a resident may have, they can reach out to the Philadelphia Sheriff's Office at 215-686-3560 or 215-686-3542.



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The Hapco Philadelphia Newsletter is a medium for transmitting information to and exchanging ideas among rental housing providers who are members.

Advertising relevant to investment in and operation of properties is accepted. The advertisements help defray the cost of producing and distributing the publication. They are also a valuable resource for members, who own and manage more than 30,000 small and mid-size rental buildings in Philadelphia, by helping them identify vendors who offer goods and services relevant to their business interests.

Hapco Philadelphia reserves the right to decline advertising inconsistent with rental property acquisition, sale, maintenance, and management.

Hapco Philadelphia reserves the right to decline advertising, including cancelling of advertising contracts, with refund of any prepayments, based on conclusions reached in investigating complaints by members of unsatisfactory vendor performance or reliability.

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The Ideal Tenant & The Ideal Landlord: A How-To Guide

By Ian Riley | ©ApplyConnect.com

It's no secret the relationships between tenants and landlords are sometimes portrayed as less than ideal, even to the point of one party painting the other in a cartoonish, sinister manner. Often, many of the instances that perpetuate ongoing stigmas about both are the result of simple misunderstandings or miscommunication.

With an ever-changing landscape of legislation affecting property owners' abilities to adequately screen their prospective renters, as well as the rights and securities of those prospective renters, both landlords and tenants generally seek specific and reasonable qualities in each other to renting as stress-free as possible. While some of the more obvious qualities may seem ubiquitous and understood by most individuals navigating today's rental housing market, understanding key attributes that define an ideal landlord or tenant is vital to ensuring a mutually beneficial relationship for both parties.

So, what exactly constitutes the qualities of an ideal tenant and an ideal landlord?

While it's imperative that the landlord is compliant with rental housing laws that affect their tenants, with more and more state legislatures writing bills and passing laws restricting background screening on tenants, the traits a tenant should ideally possess as a compliant and trustworthy renter are equally as important.

Attributes of an ideal tenant:

The ideal tenant is responsible and reliable. This means paying rent on time, taking care of the property, and communicating any concerns or issues to the landlord promptly.

Good communication skills are key to a successful tenant-landlord relationship. The ideal tenant should be able to communicate

clearly and effectively with their landlord about any issues, concerns, or questions.

A good tenant should take care of the property they are renting. This entails maintaining the home's overall cleanliness and notifying the landlord of any necessary repairs or maintenance.

The ideal tenant should respect the property they are renting, and to a proportionate degree, the neighbors around them. This means keeping noise levels down and not damaging the property in any way.

A positive housing record and rental history are green flags for any tenant. This means paying rent on time and leaving previous rental properties in good condition.

Conversely, a well-meaning landlord who is not in compliance with local and state laws and/or engages in shady business practices can potentially affect even a good tenant's housing record. With the many social stigmas that exist around landlords in the post-pandemic housing market, maintaining the same level of trust and respect expected from one's tenants is essential to the experience of being a quality and tenured landlord.

Attributes of an ideal landlord:

As mentioned above, proper communication is key to any successful tenant-landlord relationship. The ideal landlord should be able to communicate clearly and effectively with their tenants about any issues, concerns, or questions.

A good landlord should be responsive to their tenants' needs in a timely manner. This means promptly addressing any concerns or issues that arise with the property or the lease.

Trust is of utmost importance between tenants and landlords. The ideal landlord should be trustworthy and honest, keeping their

continued on page 9

The Ideal continued from page 8

promises and following through on any agreements made with tenants, verbal or written.

A good landlord should have a strong understanding of rental laws in their state or city. This ensures that they are following all necessary guidelines and regulations and that their tenants are protected while remaining compliant with any existing or changing laws.

The ideal landlord should be fair and consistent in their treatment of tenants. This means treating all tenants equally and fairly, regardless of any personal biases or preferences. Many local and state legislatures are taking initiative to ensure renters are being treated fairly within their written rights as tenants, so adherence to this is becoming increasingly more important rather than simply an expectation of quality character from landlords.

In conclusion, being an ideal tenant or an ideal landlord requires certain qualities that are essential for a smooth and successful rental experience. Ideal tenants are responsible, communicative, and respectful of their landlords and their property. They pay their rent on time, keep the rental unit clean, and report any maintenance issues promptly. Additionally, they understand and follow the terms of the lease agreement and treat their neighbors with respect. Ideal landlords are responsive, transparent, and fair. They communicate clearly with their tenants, provide a safe and habitable living environment, and address any issues or concerns promptly. They also understand the importance of maintaining the property and keeping it in good condition.

Ultimately, both ideal tenants and ideal landlords strive to create a positive and mutually beneficial relationship. By possessing these qualities, they can create a harmonious living environment that mutually benefits both parties.

Officer System continued from page 1

If a proposed ban from State Senators Nikil Saval and Sharif Street that would do away with private eviction firms becomes law, who will take over the responsibility of enforcing writs of possession? The use of private landlord-tenant officers came about due to allegations of corruption among constables who originally performed evictions. Would the responsibility now fall to the Philadelphia Sheriff's Office, which has had its own history of controversy? And would they even have the staff to handle it? And that's assuming Philly's new mayor doesn't abolish the department.

Dropping the current private landlord-tenant officer system would be like going from the frying pan, into the fire. And the pan isn't even hot.

Recent reporting indicates the current private landlord-tenant officer system is more efficient and less costly than if a government agency was involved. Would the proposed

Saval-Street bill involve additional cost, and what would that be?

HAPCO Philadelphia members provide most of the affordable rental housing in the city. Given years of city rental regulations, fees, taxes, and costs, not to mention unpaid rent from the eviction moratorium, our rental owners are being forced out of the affordable rental market in alarming numbers.

HAPCO Philadelphia must assume any additional cost of a new landlord-tenant officer system would be passed along to the small Mom and Pop rental owners who are still left in the affordable housing market. And those rental owners would have no choice but to pass that cost along to tenants in the form of higher rent. And, sadly, that would mean even more affordable rental housing would continue to vanish from Philadelphia.

Like the old cliché says, "If it ain't broke, don't fix it." And three incidents in almost 60 years means, it works.

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Everything You Want To Know About Carpet Cleaning (From a Landlord's Perspective)

In a discussion on the MrLandlord Q&A Forum, Landlords from across the country recently discussed varied aspects of carpet cleaning in rental property. They discussed what is better - Truck mounted versus Portable Machines, should residents do it or have it professionally done, when should it be done,

suggested clauses to include in your lease related to carpet cleaning, best type of carpet, if any, and the advantages to simply consider replacing all carpet.

Here are the comments shared by one dozen successful landlords regarding various aspects of carpet cleaning with rentals and residents.

"I believe the reality with truck versus portable machines is that portable machines will never do the same quality cleaning as a truck mounted machine. Every carpet that I have

ever seen that was cleaned with a portable machine even by professional companies. While it may look great for the first week or two, generally after one or several months, it starts to get generally dingy and pre-existing stains come back up. Part of it is residual detergent, too much detergent not properly rinsing and generally not enough suction. Residual chemicals in carpet will reduce life. Require truck mounted machines."

"I am a landlord AND I owned a professional carpet cleaning company for 30 years. There is no comparison to the cleaning power of a truck-mounted cleaning machine vs a portable and I own both. There are different kinds of truck-mounted cleaning machines, most are "slide in" varieties. These are independent machines that do not run off the engine of the vehicle but tap into the gas tank of the truck it is on as its source of fuel. They utilize heat exchangers to heat up the water onboard and mix cleaning solution at the machine sending it through pressure hoses to the cleaning wand inside the house to clean the carpet. These machines cost \$20,000-\$50,000 or more. The proper cleaning and extracting happens with the experienced technician or company performing the cleaning -not a novice. Using proper chemicals, spotters, tools, and sometimes deodorizers. Knowing HOW to clean carpets and what to use to get the carpet clean properly to remove soil type and spots and knowing the difference is the key. Carpeting is not cheap. Respect your investment. I maintain the carpeting I have in my apartments by cleaning yearly. At the end of the tenancy, I charge a small fee for carpet cleaning in my lease. I do not charge for maintenance cleanings."

"Any carpet that leaves the showroom will be

hard to keep clean, a health risk with germs, stink and stains. Remove all carpet at turnover, smooth floors are a wonderful feature for tenants and owner/managers alike. I have furnished places and I pay 40 bucks for area rug for upstairs bedrooms but that is the only place."

"My paragraph in the lease states: 'Carpet has been professionally cleaned at move in and shall be professionally cleaned on termination.' That keeps the rental machines from grocery stores or Home Depot from doing it. Gotta be done by a pro -- show receipt if you need to be sure."

"I prefer to pay for annual carpet cleaning myself. My professional does an excellent job and I have extended my carpet life 50 to 70%. Tenants do more damage trying to do it themselves or hiring someone with little experience for minimum cost."

"Here's what's in my lease. 'After the tenant has finished moving out, Landlord has choice of carpet cleaner and the cost comes out of the deposit.' Tenants like it because they don't have to fuss with carpet cleaning or try to schedule their move-out to still have time to clean carpets. I use a truck mounted steam cleaner. They get the water back out and use better chemicals. Downside is that they are getting more and more expensive to hire, which is additional motivation to go to hard surface flooring as soon as possible."

"My lease states that a portion of their deposit prepays the cost of professional carpet cleaning when they vacate. Saves them time and stress dealing with carpets. Residents are never allowed to clean their own carpets. Never. On Move Out inspections, I have a

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Carpet Cleaning

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blue light and I pull back the carpet at the corners. Any urine stains and the carpet goes. Period. Resident has carpet replacement costs against their deposit instead of carpet cleaning. I replace a lot of carpet due to pet issues. In 2022, every carpet replacement for pet accidents was reimbursed by the resident even if it took payments over time after they vacated. Place responsible residents who care - show you care about them and their pets - be a responsible landlord - and they usually do the right thing and take responsibility for any issues their pet caused. Usually."

In California, ALL money received (other than advance payment of rent) upon leasing is considered Security Deposit and landlord can deduct only for expenses to clean to the level of cleanliness at inception of the tenancy. Prepayment of carpet cleaning is subject to Security Deposit limit, and tenant can get this carpet-cleaning fee refunded.

"I agree that for landlord to simply take over the function of carpet and other cleaning saves tenants time and stress. My own policy is to suggest to departing tenants that I clean the unit instead of them (at their expense) because unit needs to be sparkling clean for next tenant, and I therefore need to be extraordinarily fussy about the cleaning. So, to avoid possibility that I might have to re-clean at their expense, I suggest using MY CLEANER and I will not make any fuss over the level of cleaning. Over more than 30 years, I have not had A SINGLE TENANT who did not agree, saving us both time and stress."

A huge benefit of not having residents clean carpets is that step can be saved until the make-ready and the repairs are completed. Carpets should be cleaned AFTER drywall repairs, sanding, painting, cleaning baseboards, dusting shelves, etc.. It doesn't make any sense to clean the carpets before you make the unit ready. All the dirt, dust & debris falls into the carpets during the make-ready. I figure if I have to repair drywall, sand nail holes, repaint walls, re-texture ceilings;



those are tenant damages. The carpet gets covered in dust, dirt & debris while performing those repairs so the carpet cleaning required after the repairs are completed is REALLY an expense related to repairing tenant damages. Save carpet cleaning until the last step of the make-ready - one and done for all repairs, damages and cleaning.

"WHEN I had carpets, we rented the machines that had a beater brush. Found them to be more effective than the type that just shoot the cleaner in and suck it out. The truck mounted machines have stronger suction and therefore they get more of the cleaner back out and the carpet dries quicker."

"Back in olden days when I still had carpet,

TRUCK MOUNT STEAM CLEANING was the only way to go. My lease even specifies the service company by name. No other cleaners or rental cleaners accepted. Carpet free homes changed my life and bottom line, plus my homes rent easier! Carpet is out of fashion."

The tips in this column are shared by regular contributors to the popular MrLandlord.com Q&A forum, by real estate authors and by Jeffrey Taylor, Founder@Mrlandlord.com. To receive a free sample of the Mr. Landlord newsletter, call 1-800-950-2250 or visit their informative Q&A Forum at LandlordingAdvice.com, where you can ask landlording questions and seek advice of other landlords 24 hours a day.

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Over the Transom

Edited by Claudia Christian

Some recent traffic on Hapco's Online Forum:

Names have been withheld to protect the innocent. Responses reflect the views of the Forum respondents and not necessarily those of Hapco Philadelphia.

RENTAL MARKET QUESTION?

Post: want your thoughts on the residential rental market? I have a nice 3 bedroom for rent in point breeze/newbold and a nice 1 bedroom apt. In darby borough, delaware county. I have had both listed on affordable housing.Com & zillow for over a month. I get no calls on these units. I thought there was a huge need for affordable housing and that pha gave out all these vouchers to the lottery winners? I have been in this business for 38 years and never saw the rental market so dead. Trying to take the temperature of the market. What are you guys finding the rental market like?

Response: I have two listing online for rental apartments in philly and I get not much from either but an old fashion for rent sign stuck in the ground is doing terrifically for leads. Not all high quality, but enough.

Response: I rented three units last week. One was a room, two were efficiency apartments.

Response: I think there's an oversupply of rentals right now in the neighborhoods. My guess is a lot of people were renovating their properties hoping to sell at last year's crazy prices, and now that the market has fallen. They're turning them back into rentals.

Response: I listed a 2 bd apt in fish-town. We only got a handful of responses, which is unusual. Yet with that said, first person who came to see it took it. One and done!! I like this better than 50 responses that most are dead on arrival. Still it was a little unusual.

In february I rented a one bedroom and got bombed with responses. Way too many. Gone instantly. It was also in fishtown.

If I were to guess, I'd say rents are poised to go down somewhat.

Response: My phone is ringing. Don't have any vacancies left.

Response: This past year has been the worst in my 15 years as a landlord. The flood of tenants who had been protected by the eviction moratorium meant there were tons of interested prospects, but maybe one out of 50 were actually qualified applicants. Qualified tenants were either not moving or finding good places quickly since they are so

rare and desirable in my market right now, which is working poor neighborhoods with previously strong rents.

Over the past 9 months, what I am seeing is the steady flow of tenants who are now being put out by owners who can't get them out any other way than selling the property. Some are living with family or in hotels, which we saw rarely until this year, and precludes any meaningful previous landlord references, which we require.

I'm giving up and selling one of these properties. It was a strong rental, a lasalle campus rowhome bringing \$1395/mo for a 3 bedroom, 2 full bath with finished basement and washer/dryer included but drew nothing but terrible applicants after a 3-yr tenant who was terrific left in july last summer. Some of you saw my posts about considering loosening our criminal background screening to consider people whose murder convictions were over 15 years ago and "only" had one misdemeanor within the last year, or what to do when someone has a string of evictions, but none that we can count now because the recent ones were during covid and the previous ones are over 4 years old, and rejecting them based on eviction history runs afoul of the recent philly laws. Whew!

Screening has become more important than ever, particularly in the lower socio economic status (ses) areas, but fraud and misrepresentation with fake paystubs and references is rampant now. Again, this is much worse in my target areas, but that is why i'm selling and reinvesting in better areas that draw higher ses tenants but yield lower monthly income. I'm having to pivot strategies since the low purchase price/high rent/high profit model just isn't feasible anymore. It was good while it lasted, but I have needed to accept the market has changed significantly over the past 15 years. Reassessing rents and lowering them where possible to widen the

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Over the Transom continued from page 12

net to allow for more qualified applicants to choose from might be a good strategy in areas where it's taking longer to fill a vacancy, relaxing some screening criteria where you feel comfortable to do so, hiring a rigorous and vigilant property manager who might be better at some of these things may be a solution, too, but you have to be very careful who you choose, as many are just filling the vacancies after doing cursory screenings and that comes back to bite you, too.

All this to say we are in new territory and coupled with the increasingly landlord-

hostile policies being implemented by philly leadership, we will need to adapt and pivot if we plan to continue in this industry.

Response: where are you trying to buy mary? Sounds like you are staying in the business, just relocating to a different market.

Response: i'll be shifting to places like roxborough and manyunk, east falls, some nearby suburbs. I am in mount airy in north-west philadelphia and have several properties close by that i'm very happy with but buying in my area is no longer possible as an

investor. There is the rare deal that still pops up, but prices are up everywhere, and the competition with end-users is fierce, so i'm ok with waiting and doing other things with my cash in the meantime, if need be. I still have other properties that thankfully don't give me much headache and do provide great cash flow, so i'm not in any dire situation, just realizing the amount of stress for the amount of profit in some of these properties just does not work for me anymore. Time to pivot!

Response: good luck to all! GLTA

Rental Discrimination continued from page 2

If you're experiencing rental discrimination, file an administrative complaint with the U.S. Department of Housing and Urban Development's Fair Housing Equal Opportunity (FHEO) Office. By law, they're supposed to investigate claims within 100 days of filing. Additionally, there are a few different ways to submit a claim. For instance, you can either call the Housing Discrimination Hotline at (800) 669-9777, print out a form and mail it, or file a complaint online.

Get State or Local Assistance

If you feel like you're being discriminated against, the best course of action is to contact your state or local fair housing commission or center. If you need help with whom to contact for assistance, contact the National Fair Housing Alliance in Washington, DC. Additionally, in some states, you can also file complaints with the state Division of Human Rights so they can investigate further.

While filing a federal complaint is an important course of action, seeking local assistance can be more beneficial. So, in states or cities with stricter fair housing standards, you may want to pursue legal action through

state or local agencies rather than HUD and federal courts.

Know the Laws

There are a few exceptions to housing discrimination laws, which is important to note if you're having issues with your landlord. First, the Fair Housing Act exempts owner-occupied properties, often called a "Mrs. Murphy Exemption," generally occurring when renters are roommates with their landlords.

For instance, if your landlord only allows a single occupant in a bedroom in their home, it's not considered discrimination. This would be discriminatory against families in a standard rental home, but it's allowed under the exemption. Other exemptions include housing operated by religious groups or private clubs that limit occupancy to members only.

Consequences for Rental Discrimination

The consequences of rental discrimination are quite significant for landlords. For instance, if a court or housing agency finds that discrimination has taken place, the consequences for landlords may include the following:

- Paying out-of-pocket costs tenants incurred while finding alternative housing solutions
- Non-economic damages for humiliation, mental anguish, or psychological injuries
- Civil penalties of up to \$16,000 for a first violation, increasing to \$65,000 for third violations
- Civil penalties brought by the Justice Department can be up to \$150,000

Victims of housing discrimination can file complaints for up to 1 year after the incident with the HUD or within two years in Federal Court.

Ensure Compliance In Your Rentals

If you own rental properties and want to avoid rental discrimination at all costs, consider hiring a property management team. Companies like Bay Property Management Group are well-versed in all Fair Housing Laws and will ensure your rentals and processes are compliant from one tenant to the next. Additionally, a comprehensive management company can help save you time and effort while handling tenants and rental properties.

Article Courtesy of Bay Management Group Bucks County



HAPCO PHILADELPHIA
Serving Philadelphia's Investment & Rental Property Community

Help us spread the word, **Hapco Philadelphia** is the oldest Philadelphia area association advocating for landlords. We are looking to expand our membership, and we hope that you will tell your other landlord friends how helpful **Hapco Philadelphia** has been for you and how important it is for them to join. **Hapco Philadelphia** is a first source for information about our industry. Check out our website at www.hapcophiladelphia.com

What We Do continued from page 1

Sound familiar in Philadelphia's rental real estate sector?

Rental property owners face a multitude of city rules and regulations, taxes, fees, and burdensome approvals processes that seem designed from the git-go to drive housing providers out of the market, and indeed, out of business.

Renewed City Council calls for rent control is the singular most reason investors are selling and getting out. No other industry has fixed pricing forced upon it. Imagine if supermarkets or hardware stores were told what they were permitted to charge, regardless of overhead. Real estate management people are not treated like other business owners in the city.

But for the rest of us, we keep coming back for more. So ... why do we do it?

With real estate taxes and licenses paid for another year, and state and federal tax deadlines temporarily done, we thought that while you lick your wounds and try to figure the current state of affairs both from a macro perspective as well as your own business and commercial financial perspective, now is the perfect time to cheer you up.

While Hapco Philadelphia is far from expensive to join, the veritable mass of benefits members can derive is extensive. Aside from the doom-and-gloom mentioned above, the benefit of being an investment property owner is a wise and valuable investment choice.

If you're a small investor or larger, the objec-

tive is to invest personal capital and have it grow and compound, using the tax code to protect your investment over the long-term and provide some current income in the near term. The point is to grow a nest egg.

Keeping property well-maintained and viable, providing proper and professional service to your tenants will surely return solid income to you for years and years. With real estate value increases anticipated and proven true over the long-term of an investment, both depreciation tax deductions, reducing mortgage obligations, and capital appreciation bode well for real estate as among the very best financial decisions a person can make.

There are great tax benefits to rental income. Your tax and legal professionals should be sought for information as it applies to each investor's needs, but there are tax deductions and other benefits that encourage long-term investments in income producing rental real estate.

Mortgage interest: Homeowners use this deduction, too, but it's likely among the largest expenses in the beginning of any investment. As time goes by, the mortgage amount is offset by increases in revenue. By the end of the term, it may not even be a top line item as rents go up but monthly payments stay the same.

Ordinary operating expenses for maintaining your rental property, from light bulbs to batteries. Extraordinary expenses and capital improvements are depreciated, which over time,

"shelter" more current income and reduce tax exposure.

Depreciation: There are many depreciation schedules that an accountant may use that may enable faster rates of depreciation of the building's purchase price and improvements. Sheltering revenue from tax.

Repairs and maintenance, painting, decorating, most landscaping, and other normal and customary costs of daily operation can be fully expensed in a single year. More tax savings.

Travel: the cost to get from unit to unit can be deducted. Keep careful records.

Legal fees: we all want to avoid the expense of an eviction, but at least the fees can be written off. As can estate and trust planning and accounting services.

Home office space: if it's exclusively used to run your business, it's deductible! Keep accurate records for square footage, signage, phone, utilities, wear-and-tear.

Wages to employees, payroll taxes, contract workers (1099-ers), and professional services can protect revenue streams by their deductibility.

Insurance costs, too.

And a big benefit: Hapco Philadelphia!

Be sure to use our *free* lease template package, our 176-page new Hapco Handbook, and our regular "Ask The Attorney" series to get your legal questions answered. You can find everything on our website and in our monthly newsletter!

Our work at Hapco Philadelphia is to make sure our members are aware of the news and how it affects our industry in Philadelphia. We are also uniquely qualified to provide insider information as we find out about pending legislation in city hall and Harrisburg, as well as providing professional real estate providers insights and thoughts that impact our way of life and how we make our living. Tune in often.



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It is said that your "network determines your net worth." Maybe by attending next month you'll meet the person who takes your business to the next level?!

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Reasons to JOIN Hapco Philadelphia

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FEATURES & BENEFITS OF MEMBERSHIP:

- NEW Fully Integrated Website
 - Streamlined forms for landlord & tenant legal actions
 - Searchable archive
 - Continuous updates of legislative matters
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 - Announcements & calendar events
 - PA state level legislative activity & PROA
 - Online store (coming soon!)
 - Special "ask our lawyer" section
- Exclusive members-only online Forum
- Facebook, LinkedIn & YouTube channel
- Online monthly newsletter, including news, trends, & editorials
- Educational series, lectures & roundtables
- Affordable, Tax deductible membership dues
- General Membership Seminars featuring guest speakers from the local business community, building, industry, and elected officials
- HP-PAC to support our various interests and causes on behalf of its members
- Exclusive members-only discount at major retailers like Home Depot and Sherwin-Williams
- Affordable, tax-deductible membership dues
- Get involved! Exciting opportunities to make a difference by joining Hapco Philadelphia's wide array of committees.
- Meet-and-Greets!

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Nobody **Wants** to Evict a Tenant

HapcoPhiladelphia and its members appreciate and value their tenants and the symbiotic relationship they share. Unfortunately, sometimes that relationship breaks down, with the necessity of court intervention in order to reclaim your property. Eviction is likely a last resort.

Everyone knows that going to court is time-consuming and expensive; HapcoPhiladelphia membership benefits include access to our one-stop solution to Philadelphia Municipal Court. Exclusive members-only fee structure provides top legal professionals who will guide and advise you on how the process works, from paperwork origination, mediation, settlement negotiation and, if

necessary, actual eviction and lock-change, so you are comfortable knowing your rights as a property owner are known and respected.

Professional Services Fee Schedule

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Step-By-Step Method

- Municipal Court Hearing.....\$285
- Writ of Possession.....\$185
- Alias Writ (actual eviction).....\$120
- Reschedule Eviction For Landlord/Tenant Officer \$50
- Petition Hearing\$150 if tenant should file a petition

To join HapcoPhiladelphia and for more information, or to register visit at HapcoPhiladelphia.com

