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A tenant-protection law that can save some lives

By PHIL LORD

THIS CITY HAS experienced two tragic fires in less than a week.

One in Kensington resulted in the loss of three lives: a young couple and their 6-year-old child. The other more recent fire occurred in a West Philadelphia property being rented to students. Several of them were seriously injured but they all escaped alive.

There is no accounting for fate, but one reason for these very different outcomes to the similar situations might have been the presence of smoke alarms.

The West Philadelphia property had smoke-detecting equipment while none was found in the Kensington fire. Smoke alarms are required in all residential properties, including the types of housing involved here.

When present, they can cut the chance of death in half. However, right now the city has no process that requires landlords to install the proper fire equipment before putting a property on the market for rent.

At least, it had no such process until now. Also during the last week, the mayor has had on his desk a bill that might change all this. It's the Certificate of Rental Suitability Ordinance recently passed by City Council.

The ordinance would require that a landlord get a certificate from the Philadelphia Department of Licenses and Inspections before renting a vacant property to a tenant.

The certificate would confirm that the proper fire-safety equipment is in place, that there are no other violations of the property maintenance code on record with the department and would also require the landlord to declare that there are no defects that would adversely affect the health or safety of the occupants. All this is required before people move into the property, not after a complaint is filed.

L&I tries to check the fire-safety systems of the nearly 400 high-rise buildings in the city every year and does similar inspections of other multi-family rental properties every few years.

But it doesn't do a full inspection of these properties or any routine inspection of the thousands of one- and two-family properties up for rent. As a result, code enforcement in the city remains mostly a complaint-based system in which a tenant or neighbor must

contact L&I and arrange an inspection in order to document the faulty condition.

As we have seen, sometimes that contact comes too late.

This bill will notify tenants in Philadelphia of their right to enforce the property maintenance code, including smoke alarms, and tell them how to challenge the legality of their leases if the ordinance is violated.

Just as important, the new law places the burden on the owner to make sure the property is in good shape before it is put on the market. Hopefully, fewer tenant complaints and fewer L&I inspections will be necessary as a result.

There is no way guarantee that a tragic fire will not occur, but there are ways to make this and other kinds of tragedies less likely. The fire and property maintenance codes are minimum standards designed to protect occupants, visitors and members of the surrounding community from being injured or made sick.

The Rental Suitability bill is a small but necessary step toward making this protection a reality.

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