



City of Coatesville

Guide to Rental Housing

Landlord - Tenant Rights and Responsibilities

This guide is designed to inform tenants and landlords about their rights and responsibilities in rental relationships. It serves as a useful reference but is not intended to be the definitive guide but one that should help point you in the direction of those information providers that practice Tenant/Landlord relationships in a bigger way.

Whether you are a tenant or a landlord, when you sign a lease agreement, you sign a contract. You are contractually obligated to perform certain duties and assume certain responsibilities. You are also granted certain rights and protections under the lease agreement. Rental-housing law is complex. Landlords and renters of subsidized housing may have additional rights and duties.

We hope that you find it useful. We also hope it helps with the quality of life, safety and environmental balance living in Coatesville.

Some of the organizations in the area to help with renting a place to live include:

Housing Equality Center of Pennsylvania - <https://www.equalhousing.org/>

Chester County Decade to Doorways - <http://decadetodoorways.org/> or call 2-1-1 for emergency housing info including rent assistance

Friends Association of West Chester - <https://friendsassoc.org/>

**Family Service of Chester County - <https://www.familyservice.us/about/>
Frequently asked Questions**

**A guide book is available online through Chester County at:
<https://www.chesco.org/DocumentCenter/View/14439/Fair-Housing-Guide-Book>**

The following information is provided by the State of Pennsylvania, the City of Coatesville and Legal Aid of Southeastern PA and the Equality Housing Center of PA. This information is not a substitute for legal advice. If you are facing a legal problem you should consult a lawyer for specific legal advice. If you have questions, call Legal Aid of Southeastern PA at (877) 429-5994. For a code violation or to file a landlord complaint contact the Coatesville Codes Department at (610) 384-0300

In Pennsylvania, a lease agreement exists wherever a tenant agrees to exchange rent for inhabiting a property. According to Pennsylvania law ([Pennsylvania Landlord and Tenant Act](#)), tenants have certain rights, such as the right to enjoy the property without undue disturbance and the right to a habitable living space.

Landlords *also* have rights, such as the right to collect rent in a timely manner and the right to be reimbursed for costs from damages that exceed normal wear and tear.

Note: These rights exist regardless of a rental agreement stating otherwise.

In addition to the below, check your local county and municipality for additional landlord tenant regulations. *The Coatesville Codes Department can be reached at (610) 384-0300 for more local information.*

Tenant Responsibilities

- Pay your rent on time
- Keep the unit clean and in a habitable condition
- Inform the landlord when repairs are needed and give them proper time to correct the issue
- Give the landlord access (by appointment) for routine inspections
- Inform the landlord of who is living in the property
- Remove all hazards and garbage
- Make sure that you do not cause the landlord to be in breach of the law.
- Keep fixtures clean and in working order
- Comply with any special terms in your lease, verbal or written
- Not disturb other tenants or neighbors

Tenant Rights

- An adequate, safe and sanitary water supply to every fixture in the dwelling
- One flush toilet, one bathroom sink, and one bathtub or shower
- A kitchen sink with hot and cold running water under pressure at all times
- A water heating system that provides water of 120 degrees or higher at every kitchen sink, bathroom sink, bathtub or shower.
- Windows or skylights in every living room and bedroom.
- Heating facilities capable of heating all rooms to at least 70 degrees from September 1st to June 1st
- Safe, unobstructed means to exit the dwelling onto safe and open space at ground level
- Walls, floors, ceilings, windows, and doors in sound condition, rodent proof and weather tight
- Plumbing that is properly installed and maintained in a sanitary working condition; and is free from defects, leaks and obstructions.
- An electrical system that is properly installed and maintained in good working condition; and is free from defects and shock hazards.

Landlord Responsibilities

Pennsylvania landlords are required to maintain the unit in a livable condition and must make repair requests in a “reasonable” amount of time, although reasonable is not defined. If they do not, the tenants may take some forms of alternative action, such as withholding rent payments.

When you rent a home, the landlord has the duty to provide:

- a safe, warm, and dry dwelling
- drinkable water
- a working sewer disposal system
- working electrical
- working plumbing systems

This is known in legal terms as a warranty of habitability. This does not mean that the landlord has to pay for these things, only that they must be available. For example, the tenant will usually pay the electric bill unless stated otherwise in the lease and included in the rent.

The failure of the landlord to maintain the premises in good condition may be legal justification for a tenant to take defensive actions, such as moving out (even in the middle of the lease), paying less rent, withholding the entire rent until the problem is fixed, making necessary repairs or hiring someone to make them and deducting the cost from next month’s rent. Tenants should be aware that none of these actions are perfect or an easy solution. Any of them could cause your landlord to try to evict you. It may be more difficult to assert your rights if you have not met your responsibilities as a tenant or broken conditions of your lease.

The Chester County Health Department and many local municipalities in the county, including the City of Coatesville, have codes and regulations that establish minimum standards for the safe, sanitary condition of rental properties. If you think that your rental home does not meet these standards or your landlord refuses to make repairs in a timely manner, you can ask the local inspector to inspect the property. If violations are found, the landlord will be given an order to comply with the standards. If the landlord does not do the repairs, they could face fines and be prohibited from re-renting the property until the violation has been fixed. The Coatesville Codes Department can be reached at (610) 384-0300 for more local information.

Landlord Rights

Evictions

Pennsylvania landlords may evict tenants for the following reasons:

- Nonpayment of rent – If a tenant misses a rental payment then the landlord may issue a 10-Day Notice to Quit. If they do not pay, the landlord may file a Summons and Complaint with the District Judges office.
- Lease violation – If a lease violation occurs, then the landlord may issue a 15-Day Notice to Quit (30-Day for tenants of more than 1 year). Landlords are not legally required to give tenants a chance to remedy the infraction, though it is customary. If the terms are not met, then the landlord may begin eviction proceedings.
- Illegal acts – Pennsylvania law highlight several illegal activities that warrant eviction, such as drugs and prostitution. Landlords can immediately evict and they are not required to give any notice.

- Pennsylvania does not have any rules on how eviction of at-will tenants is supposed to work. As such, it is generally assumed that at-will tenants have no protections and may be evicted at any time for any reason.
- Landlords are prohibited from evicting tenants in retaliation or as a form of discrimination.

Security Deposits

- Standard Limit/Maximum Amount – 2 month’s rent (1 month for tenants who last more than a year, no deposit after 5 years).
- Time Limit for Returns – 30 days.
- Penalty if Not Returned on Time – If a Pennsylvania landlord wrongfully withholds rent, then they will forfeit the deposit and may have to pay up to twice its original amount.
- Allowable Deductions – Repairs for damages that exceed normal wear and tear, unpaid rent.

Lease Termination

A landlord MUST follow a legal procedure in order to evict a tenant. Tenants who are on a periodic lease must give the following written notice if they wish to break the lease:

- 15 days notice for a term of one year or less
- 30 days notice for a term of more than one year
- 10 days notice for eviction for non-payment of rent

If the tenant does not leave by the date specified on the notice, then the landlord may file a complaint with the local District Justice. The judge will schedule a hearing within the next few weeks. The tenant will receive a copy of the complaint and a notice of the hearing date and time.

Early termination.

Tenants are legally allowed to break a lease for the following reasons:

- Early termination clause
- Active military duty
- Uninhabitable unit
- Landlord harassment
- If a tenant breaks a lease early then they may be required to pay the remainder of the lease agreement. Pennsylvania landlords are not obligated to make an effort to re-rent the unit.

Rent Increases & Related Fees

- Rent control. Pennsylvania neither preempts nor enforces rent control policies. Thus, landlords may charge what they wish for rent, although rent control policies may be put into place sometime in the future.
- Rental increases. Similarly, landlords are not limited by how much they raise rental prices. They also do not have to give notice or justification for rent hikes.
- Rent-related fees. Pennsylvania does not currently regulate late fees although there is a \$50 returned check fee limit.

Housing Discrimination

Protected groups. The Federal Fair Housing Act prohibits discrimination in housing based on race, color, national origin, religion, sex, familial status, handicap or disability and a user of a support animal. These rules do not apply to owner-occupied homes or homes operated by religious organizations.

Pennsylvania has state-level protections that prohibit discrimination based on age or pregnancy status.

Discriminatory acts & penalties.

The Pennsylvania Human Rights Commission handles cases involving housing discrimination. If a complaint is filed with the PHRC it is also elevated to the federal government through the Department of Housing and Urban Development (HUD). The following behaviors have been highlighted as potentially discriminatory when directed at a member of a protected group:

- Refusing to rent or sell on a bona fide offer
- Falsely denying unit availability
- Offering different terms, conditions, or privileges
- Charging a fee for a support animal
- Failing to make reasonable accommodations
- Denying certain financial services

Victims of housing discrimination can file a complaint on the Commission's website.

<https://www.phrc.pa.gov/Pages/default.aspx> or call toll-free, PA FAIR HOUSING HOTLINE, 855-866-5718.

You may also file a complaint through the Housing Equality Center's website

<https://www.equalhousing.org/report-discrimination/>

Additional Landlord Tenant Regulations in Pennsylvania

Landlord Right to Entry

Pennsylvania does not have any laws regarding landlord right to entry. As such, landlords are legally allowed to enter units whenever they want, though most landlords and tenants have some kind of entry notification policy in the lease agreement. Emergency entry is usually understood to be permissible without prior notice.

Small Claims Court

Small claims court will hear rent-related disputes valuing up to \$12,000 including eviction cases.

Landlords must make 2 kinds of mandatory disclosures:

- Lead-based paint. Landlords who own units built before 1978 must provide info about concentrations about lead paint.
- Security deposit bank info. Landlords must also provide details about the bank and accounts that have the tenant's security deposit.

Changing the Locks

The law does not specify guidance about changing locks. Thus, tenants may be allowed to change the locks but are not recommended to do so without asking for landlord permission first. Landlords are forbidden from unilaterally changing locks as a form of eviction.

Local Laws

Landlord and tenant's rights are not exclusively governed by state law. Cities and counties may also enact their own rules and regulations for renters. The City of Coatesville maintains rules and regulations in its codes that mirror most state and federal laws. For more information call (610) 384-0300.

Appeal Procedures

The court will issue a supersedes order that will stop the eviction. To file an appeal in Pennsylvania most tenants must post a bond, however, the bond may be waived for some low-income clients. Legal Aid can assist in trying to get the bond waived. Tenant must file and appeal within 10 days of the hearing. If no appeal is filed then the landlord may proceed with the eviction. Notice will be posted on the tenants door and will list the earliest possible date that a constable or sheriff can come and lock the tenant out – this usually will take another 10 days from the time of the order. An organization like Legal Aid of Southeastern PA can help tenants through the appeal process.

Pay and Stay

A “pay and stay” order is another way to stop an eviction. If the only issue is that you owe your landlord money for the rent, the judge might issue an order that says that the eviction will be blocked if the tenant can come up with the entire amount owed before the constable or sheriff shows up to escort the tenant off of the property. If you are worried that the landlord will not notify the judge to stop the eviction, you can pay the amount directly to the constable.

If the landlord shows up with a locksmith without having followed the legal process, call the police and tell them that the landlord has illegally locked you out. The police, if convinced that you are a tenant and that the landlord did not follow the proper procedures to evict you, may stop the lock out or let you break back into the apartment. If your landlord may try to lock you out, be sure to carry your important papers with you, particularly something that proves that you may live there.

Rental Housing Complaints

The City of Coatesville maintains their own code enforcement office and can be reached at (610) 384-0300

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Additional Tenant information and help can also be accessed at:

Housing Equality Center of Pennsylvania - <https://www.equalhousing.org/>

Chester County Decade to Doorways - <http://decadetodoorways.org/> or call 2-1-1 for emergency housing info including rent assistance

Friends Association of West Chester - <https://friendsassoc.org/>

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Frequently asked Questions

A guide book is available online through Chester County at:
<https://www.chesco.org/DocumentCenter/View/14439/Fair-Housing-Guide-Book>

Frequently Asked Questions

Who do I call for a repair to my rental?

Your first call should always be to your landlord to discuss the issue. The failure of the landlord to maintain the premises in good condition may be legal justification for a tenant to take defensive actions, such as moving out (even in the middle of the lease), paying less rent, etc.

I am having trouble paying my rent and my landlord is threatening to evict me. Where can I find help?

Three organizations may be able to help you:

- Chester County Decade to Doorways - <http://decadetodoorways.org/> or call 2-1-1 for emergency housing info including rent assistance
- Friends Association of West Chester - <https://friendsassoc.org/>
- Family Service of Chester County - <https://www.familyservice.us/about/>

I am not working due to Covid restrictions and my income doesn't cover my rent. Can I be evicted during this time?

Pennsylvania landlords can sue tenants for eviction since the statewide protections have ended. If you can't pay your rent because of hardships during COVID, you can try to stop the eviction through the national CDC moratorium. There is also now a Chester County based Eviction Prevention Court Program spearheaded by the Friends Association of West Chester. The EPC is a pilot project designed to assist vulnerable families and individuals who have been pushed to the brink of homelessness by unforeseen hardships and limited resources. The program provides free legal and social services support on the day of an eviction hearing. Financial assistance may also be provided to prevent evictions, with connections to long-term financial and social supports to prevent future housing instability. The program is voluntary and will pilot in the District Court in Downingtown and expand to other Chester County Courts based on outcomes and funding availability. To contact The Friends' Association please call (610) 431-3598 or through their website <https://friendsassoc.org/>

I need legal advice but I don't think I can afford a lawyer. Is there someone you can recommend?

Give a call to Legal Aid of Southeastern PA at 877-429-5994. They should be able to help you or direct you to an attorney. <https://dove-pineapple-zjwk.squarespace.com/faqs>

I just got warned by the inspector for not cutting my grass. Whose responsibility is it?

The answer may vary whether grass cutting, snow removal or other maintenance item is stated in your lease as your responsibility or the landlord's. Many of the local rules are enforced by the Codes Department and can be reached at (610) 384-0300.

I am on a Housing Voucher through HUD. Do my rights and responsibilities differ from private renters?

Yes in some ways they do and HUD has a special Rights and Responsibilities web page for Voucher holders to refer to. You can find it here - https://www.hud.gov/sites/documents/DOC_12162.PDF

Can landlords request immigration documentation?

Every person in the United States is protected by the Fair Housing Act. A person's immigration status does not affect his or her federal fair housing rights or responsibilities. Landlords are allowed to request immigration documentation and conduct inquiries to determine whether a potential renter meets the

criteria for rental, so long as the same procedure is applied to all potential renters. Landlords can ask for identity documents and institute credit checks to ensure ability to pay rent. However, procedures to screen potential and existing tenants for citizenship and immigration status may violate the Fair Housing Act's prohibitions on national origin housing discrimination. Landlords should remember that their policies must be consistent. If they ask for information from one person or group, they must ask for the same information from all prospective applicants and tenants.

Who supplies the trash service?

Landlords hold the responsibility of contracting with the city or with a private hauler. Depending on the number of units in the rental it could be multiple single totes or a facility wide dumpster. There are rules on the amount per unit and also the disposal of bulk items like a mattress or couch. If you are moving out and are in need of a bulk pick up please contact the landlord or trash hauler to arrange a special pickup. If you lose a tote the replacement cost is \$70 payable at the City offices.

Trash is picked up weekly with the day depending on the section of the city you live in. Monday – West End, Tuesday – north side of Lincoln Highway, Thursday – south side of Lincoln Highway. Yard waste (leaves, branches etc) is picked up by our Public Works department alternate Wednesdays by appointment. Please call (610) 384-2861 to set up a pick up. You may also take yard waste to the Central Chester County Recycling Authority compost site located at 2240 Upper Gap Road. Open on the second Saturday of each month from 8 am to 2 pm. Directions; take South First Avenue to South on Youngsbury Road to the left on Upper Gap Road, Site is 3/4 mile on the right.

Important local numbers to know

Police – please call 911 for a true emergency or for local non-emergency calls (610) 383-7000 and (610) 384-2300 for Administration

Fire/EMS – please call 911 for a true emergency or for local non-emergency calls Washington Hose (610) 384-6464 or West End Fire Co (610) 384-9111

Trash Vendor – Eagle Disposal (717) 355-9560

Towing services – there are several in the area – Ken's (484) 786-8056, A&R (610) 380-8770, Fling's (610) 383-6362

City Public Works Department – (610) 384-2861

City Codes Department – (610) 384-0300