Administrative Board Rule #44[1]

Extension of Residency Requirement for Exempt Employees

44.1 **REQUIREMENT**

The Philadelphia Home Rule Charter Section 3-306 requires the Managing Director, Director of Finance, the Personnel Director, any appointed department head or any other employees not in the civil service to be residents of the City of Philadelphia within six months of their appointment to their non-civil service City positions, and to thereafter maintain residence in the City.

44.2 **GRANTING OF EXTENSIONS OF THE RESIDENCY REQUIEMENT**

The Administrative Board ("Board"), upon the request of an appointing authority, may grant an extension of the City residency requirement for a non-civil service employee if, in the judgment of the Board, an extension is required because of a proven "critical need or hardship" that prevents the employee from establishing City residency within six months of his/her appointment to a City position, and the employee has been making continuous good faith efforts to establish residency. Nothing in this Rule shall create any entitlement to or expectation of a residency extension; such extensions are to be granted only at the sole discretion of the Administrative Board.

44.3 **PROCESS FOR APPLYING FOR EXTENSIONS OF THE RESIDENCY REQUIREMENT**

A. Any non-civil service employee who seeks an extension of the residency requirement must submit to his or her appointing authority an Application for Extension of the Philadelphia Residency Requirement ("Application"), along with a letter explaining the reasons he/she is unable to comply with the residency requirement within the required timeframe, his/her good faith efforts to obtain a City residence, and the significant difficulty he/she will face if not granted an extension.

B. The appointing authority shall submit to the Board contact listed on the Application, the Application and employee letter, along with a supporting letter from the appointing authority; and, any documentation relevant to the extension request.

C. The Board will notify the appointing authority of the meeting at which the Application will be considered. The City employee shall be given an opportunity to appear before the Board to make a statement in support of his/her written Application.

---

[1] Established April 8, 2016

44.4 **PROCESS FOR CONSIDERING APPLICATIONS FOR EXTENSION OF RESIDENCY REQUIREMENT**

A. After receiving a completed Application, the Board shall place the Application on the agenda of the next meeting of the Board.
B. Final decisions made by the Board on an Application, or any requests for additional information to support the Application, will be sent promptly to the appointing authority.
C. Final decisions made by the Board on an Application shall also be sent to City Controller and the Inspector General.

44.5 **GRANTING OF APPLICATIONS FOR EXTENSION OF THE RESIDENCY REQUIREMENT**

Applications shall be granted from time to time, on a case-by-case basis, and only after the City employee/applicant has demonstrated a proven "critical need or hardship." In determining "critical need or hardship," the Board shall take into consideration at least the following factors: (1) the reason(s) a City residence cannot be acquired within the required timeframe, (2) documented good faith efforts being undertaken to acquire a City residence, e.g., pending mortgage applications, rental or sales agreements, (3) circumstances impeding the acquisition of a City residence, e.g., letter from a doctor, (4) support from the appointing authority, and (5) explanation of the significant difficulty presented if the extension is not approved.

44.6. **DURATION OF EXTENSIONS OF RESIDENCY REQUIREMENT**

Except in extraordinary circumstances as determined by the Board, Applications may be granted for no more than six months. If, at the end of the six month period the City employee has not established a City residence, the City employee's employment shall terminate.

44.7 **PROOF OF CITY RESIDENCY**

A City employee granted an extension of the residency requirement must send a letter to the Board with proof that he/she has acquired and maintains City residence. Such proof shall include a recent utility bill (non-mobile telephone, gas electric), recent mortgage statement, signed lease agreement, etc. This letter must be received prior to the end of the six month extension period, or earlier if City residence is acquired prior to that time.

APPLICATION FOR EXTENSTION OF THE PHILADELPHIA RESIDENCY REQUIREMENT

Administrative Board
c/o Kathy Lonie
Room 204, Office of the Mayor
E-mail: kathleen.lonie@phila.gov

OFFICIAL USE ONLY:

***Instructions**: Complete this form and answer all questions. Please type or print legibly. You may attach other documents to support your application. Send all documents to the address/e-mail listed above. Upon receiving your application, the Administrative Board will notify you with details of the hearing process moving forward.*

APPLICANT INFORMATION

Last Name: First Name: M.I.:

Current Address: Floor/Apt. No.:

City: State: Zip Code:

Daytime Telephone No.: Alternate Telephone No:

EMPLOYER OR PROSPECTIVE EMPLOYER INFORMATION

Employer Name: (e.g., "City of Philadelphia") What was/will be your first date of work?:

Employer Mailing Address:

Name and Title of Head of Department and Human Resources Director

Telephone No.: E-mail:

APPLICATION DETAILS

Exemptions from the residency requirement must be based on "critical need or hardship." Please include with your completed application form a letter explaning your hardship and/or critical need and the difficulty you will face if not granted a residency requirement extension. You should also include a letter from your supervisor supporting your application, as well as any documentation relevant to your request, e.g., letter from your doctor, confirmation from your relator of your efforts to find a Philadelphia residence, pending rental agreement, etc.

Are you willing to appear before the Administrative Board to make a statement in support of your written application? YES____ NO____

By my signature below, I hereby certify under penalty of perjury that the foregoing statements and any information provided in support of this application are true and correct to the best of my knowledge and belief.

X_____

Applicant's Signature **Date**