

DEPARTMENT OF LICENSES AND INSPECTIONS CODE BULLETIN OF INFORMATION BU-2001	CODE OF GENERAL ORDINANCES OF THE CITY OF PHILADELPHIA <hr/> TITLE 9-Regulation of Businesses, Trades, and Professions
SUBJECT OF BULLETIN: PROPERTY CERTIFICATION	REFERENCE CODE SECTION(S): 9-3908 PA 21 P.S. § 613
ISSUED BY	ISSUE DATE
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BACKGROUND

Title 21 of the PA Code requires that sellers disclose any known condition that will reveal a violation of local zoning or property maintenance ordinances.

By the time of settlement of a real estate transaction, the buyer must provide certification of the following information:

- Zoning classification of subject property;
- Legal use in accordance with local zoning ordinance;
- Disclosure of uncorrected notices of violation of the building, safety, property maintenance and fire ordinances.

Section 9-3908 of the Philadelphia Code requires that the certification also include a summary of the license and property maintenance responsibilities of the owner.

A Property Certificate is issued to the owner or owner’s agent to provide an official record of zoning classification, registered or established use according to zoning record, and uncorrected cited violations. The certification is based solely upon L&I zoning and violation records and does not certify that the property complies with all zoning, building, safety, property maintenance, fire codes, any other ordinances, or Commonwealth statutes.

This Code Bulletin provides an explanation of information provided on a Property Certificate.

POLICY

Upon submission of an application and payment of fee, L&I shall issue a certification that includes the following information:

1. Zoning classification;
2. Last established use in the zoning record;
3. Disclosure of uncorrected violations of the housing, building, safety and fire ordinances;
4. Summary of owner license and property maintenance responsibilities.

A full description of each field is provided:

Zoning Classification

The zoning classification, or the base zoning district assigned to the property, is listed on the Property Certificate. The Philadelphia Zoning Code establishes basic rules for land use for each zoning district.

The property may be subject to additional rules and regulations based upon the area of the City in which it is located. These additional rules are defined by an overlay zoning district. The Property Certificate does not include information on overlay zoning districts; however, applicable overlays may be readily identified using the online zoning map at www.phila.gov/li.

Use

The Property Certificate identifies the last legally registered or established use in the zoning record.

A zoning permit grants the property owner approval to establish a use; however, the use is not legally established until associated construction or occupancy permits are acquired in accordance with Section 14-303 of the Philadelphia Zoning Code.

The use is identified based upon a review of zoning permit records with the following exception:

- No use registration permit is required for a single-family dwelling; therefore, limited records exist from properties used solely as a single-family dwelling. The Property Certificate is issued based upon the affirmation of the owner or owner's agent that the property is used as a single-family dwelling.

A purchaser should be aware of several factors that may cause conflict:

- The identified use may be invalid if associated construction or occupancy permits are not obtained within timeframes set forth under Section 14-303 of the Philadelphia Zoning Code and as described by Code Bulletin Z-1901, Expiration Periods Related to Zoning Permits.
- The identified use may be invalid if it has been intentionally abandoned for a period of three or more years.
- The Property Certificate does not certify compliance with the Philadelphia Building Construction and Occupancy Code. Additional occupancy and construction permits may be required to establish or legalize a use under the Philadelphia Building Construction and Occupancy Code.

If the L&I reviewer has cause to believe that a conflict may exist, it may be noted through a disclaimer on the Property Certificate.

Uncorrected Violations

The Property Certificate lists all open violations of the Philadelphia Code cited at the property at the time of application. This includes violations with unpaid fines.

The Property Certificate includes all violations issued related to the parcel at time of application. The owner of a condominium is only obligated to correct violations to

portions of the building or parcel that fall under their whole or partial ownership. All other violations issued to the parcel are for informational purposes only.

License and Property Maintenance Responsibilities

The Property Certificate includes a list of certain owner responsibilities, including those relating to property rentals, vacant property, and property maintenance.

If the property is designated for local, historic preservation it is subject to additional requirements defined under Section 14-1000 of the Philadelphia Zoning Code and such designation shall be indicated on the Property Certificate.

A Property Certificate reflects the conditions at the time of application and does not expire under PA law or local ordinance. A Property Certificate does not confer any legal entitlement, right, or defense.

Conditions of a property are subject to change between the time of application and property sale. A purchaser is encouraged to verify public records, available at phila.gov/li, to identify any changes between the time of issuance and sale.