



TENANT UNION REPRESENTATIVE NETWORK (TURN)

A TENANT'S GUIDE TO SUING YOUR LANDLORD

HOLDING LANDLORDS ACCOUNTABLE
FOR UNSAFE HOUSING CONDITIONS



LEGAL DISCLAIMER

The information in this guide is for general informational purposes only and not for the purpose of providing legal advice. This guide does not create an attorney-client relationship with you and TURN. You should contact TURN, or another attorney, to obtain advice with respect to any individual issue or problem.

HOW TO USE THIS GUIDE

This interactive guide has fillable forms, checklists, and worksheets.

One option is to download this guide as a PDF and type your responses directly into the document. Another option is to print it out and write in your responses.

Either way, you can bring it with you to court or to a meeting with a TURN housing counselor.

If you want to get individualized advice, contact TURN.

AUTHORS AND ACKNOWLEDGMENTS

This guide was a collaboration between the Tenant Union Representative Network (TURN) and the Social Justice Lawyering Clinic at the Sheller Center for Social Justice at the Temple University Beasley School of Law.

The information in this guide was researched and written by Lina Ruth Duiker, Ashley Hyman, and Maria Thomson, law students at the Temple University Beasley School of Law, supervised by Professor Jennifer J. Lee. Stephanie Dorenbosch (TURN) also provided feedback and supervision for this project.

The information in this guide is current as of **December 2020**.



Stephen and Sandra
SHELLER

 **CENTER** *for* **SOCIAL JUSTICE**



Temple University Beasley School of Law

THIS IS ANNIE.



THIS IS ANNIE'S
LANDLORD, JACK.



Annie signed a lease with Jack and moved into her house with her two kids. A few days later, she noticed that when it rained, water would leak into her bedroom through the roof. She asked Jack to fix it, but he didn't. A storm came through Philadelphia, and part of her ceiling collapsed. Her mattress and clothes were ruined. Annie doesn't know how to get Jack to fix her house.

DID YOU KNOW?

Tenants rarely sue their landlords, but landlords annually file 24,000 eviction cases in Philadelphia alone.

Philadelphia has some of the oldest housing in the US, with half of the housing over 93 years old.

More than 300 properties in Philadelphia are cited as unfit for human habitation every year.

EVERYONE DESERVES TO LIVE IN A SAFE AND HEALTHY HOME.

Many tenants live in unsafe or inadequate homes. This is no accident. Landlords profit by neglecting housing while still collecting full rent from tenants. Unfortunately, landlords are rarely held accountable for failing to provide safe housing.

YOU CAN DO SOMETHING ABOUT IT.

There are many laws that protect your right to adequate housing. By filing a claim, you could **get a rent reduction, recover costs related to your housing, and hold your landlord accountable** to follow the law.

WE'RE HERE TO HELP.

You can fight for your rights, even if you can't afford a lawyer. This guide will walk you through the process of suing your landlord and help you prepare the most successful claim possible.

HOW TO GET TO COURT

HERE IS A TIMELINE FOR GETTING TO COURT

1

CREATE A LIST OF ISSUES

Annie finds structural damage in her bedroom causing a leak and the collapse of her ceiling.

2

NOTIFY YOUR LANDLORD

Annie sends a letter to her landlord with a list of issues and asks him to fix them by a certain date.

3

LEARN THE LAW

Annie learns about the laws that require her landlord to fix the issues in her home. She talks to a TURN housing counselor for more info.

4

COLLECT YOUR EVIDENCE

Besides keeping a copy of the letter she wrote to her landlord, Annie takes pictures of the leak, and calls L&I to inspect her home.

5

PREPARE FOR FILING

Annie fills out worksheets to prepare for filing her claim.

6

FILE YOUR CLAIM

Annie makes an appointment at the court's filing office and meets with an interviewer.

7

PREPARE FOR COURT

Annie makes a plan for getting to court. She finds a babysitter and plans her route.

8

GO TO COURT

Annie gets to court early and brings all her evidence to show the judge.



CREATE A LIST OF ISSUES

GO THROUGH THIS CHECKLIST TO SEE IF THERE ARE ISSUES WITH YOUR HOME.

- Broken heater or not enough heat
- No (or not enough) hot water
- Stove or fridge do not work
- Leaking pipes or radiator
- Leaking in the basement
- Ceiling or floor leaks
- Toilet runs, leaks, or does not flush
- Plumbing frequently clogs or backs up
- Exposed wires
- Broken or sparking electrical outlets
- Electrical circuits blow when appliances are plugged in
- Holes or cracks in the ceilings or walls
- Broken or rotten doors or door frames
- Cracked or broken windows
- Peeling paint
- Missing fire alarms or smoke detectors
- Rats, mice, bedbugs or other pests

List any other issues you may have below:

Annie goes through the checklist to see if there are any other issues with her home. In addition to the leak, there is paint flaking in her 6 year-old daughter's bedroom and there are bedbugs. Now she needs to find out which laws might apply to her situation.





NOTIFY YOUR LANDLORD

BEFORE YOU SUE YOUR LANDLORD, MAKE SURE YOUR LANDLORD IS AWARE OF THE ISSUE.

Your landlord might fix your problem on their own if they know about it. Providing notice will also be important if you decide to file a claim later on. Follow these steps for the best results:

PUT IT IN WRITING

Putting your issue in writing will help you prove that you told your landlord about it. A letter or email is ideal, but even a text message will do. Tell your landlord what the issue is, when it started, and a deadline for them to fix it.

(See Attachment A for a sample letter).

SAVE A COPY OF EVERY CONVERSATION

If you go to court, your conversations will be part of your evidence. Make sure you have a backup of everything. **For example:**

- Make a copy of letters sent by mail
- Print out screenshots of texts or social media messages
- Send screenshots, photos, and emails to a trusted person by email

FOLLOW UP

If you don't hear back from your landlord within a few days, follow up. They might be juggling a number of issues.



Annie sends a letter to Jack about the leak and tells him that he must fix it within 48 hours. She keeps a copy of this letter for herself. After two days pass, she follows up with Jack about the leak by text. She takes a screenshot of the text and emails it to her mom.



DO NOT record your landlord.

In PA, it is often illegal to audio record someone without their permission. Instead, take notes after any conversations with your landlord and email them to yourself or another trusted person.

3 LEARN THE LAW

THE MAIN LEGAL THEORY THAT PROTECTS YOUR RIGHT TO HAVE SAFE AND HABITABLE HOUSING IS CALLED THE "WARRANTY OF HABITABILITY."

WHAT DOES THE LAW SAY?

Landlords must maintain your home in a condition that is basically safe and fit to live in.

WHO IS PROTECTED?

This protection extends to **all tenants** — even if you don't have a written lease or are behind on your rent.

WHAT IS A VIOLATION?

Landlords do not have to provide a perfect property, but they **do** have to keep the property fit for human habitation. Courts will consider:

- How serious is the issue?
- Does the issue impact safety, health, or sanitation?
- When was the landlord notified?
- How long has the issue gone unfixed?

HOW WILL THIS LAW HELP YOU?

If you win your claim, you may be able to get:

- a rent "abatement" (a reduction of your rent)
- the right to break your lease
- compensation for money you spent because of the problem



Annie realizes that she may have a claim for a breach of the warranty of habitability, because the rain leaking into her bedroom makes that part of her home unfit to live in.

She told Jack about the leak a week ago and asked him to fix it, but he still hasn't responded.

WHAT DO YOU HAVE TO PROVE TO WIN?

You must show **three** things:

- (1) You gave notice to your landlord of the issue,
- (2) Your landlord had a reasonable opportunity to fix the issue, **AND**
- (3) Your landlord failed to fix the issue.



The problems described on pg. 3 may violate minimum levels of safety and habitability

LEARN THE LAW

IN ADDITION TO THE "WARRANTY OF HABITABILITY," THERE ARE OTHER LAWS THAT MAY LEGALLY PROTECT YOU.

BED BUG LAW

If you suspect a bed bug infestation, make sure to report it to your landlord **within a year of moving in**. Your landlord has to **fix bed bug infestations reported within a year** and is **fully responsible for the cost** of fixing the issue.

LEAD CERTIFICATION LAW

If your home was built **before 1978**, your landlord must **test and certify** that your home **is lead-safe** in order to sign a new lease, renew a lease, or receive/renew a rental license. If your landlord did not give you this certification to sign, you could get a **full refund of rent you've already paid**.

SECURITY DEPOSIT LAW

Your landlord can only ask for **two months' rent** for a security deposit. If you stay beyond one year, your landlord must return any security deposit in excess of one month. They also must return your security deposit **within 30 days of the end of your lease** and your move-out date. If they don't do this, you can get **double** your security deposit back.

UNFAIR TRADE PRACTICES

You could get up to **triple damages** if your landlord has made **false statements** to you about the housing, such as:

- lying about whether something in your home is new
- exaggerating the need for repairs **after you move out**

RETALIATORY EVICTION

It is **illegal for your landlord to retaliate against you for exercising your legal rights**, such as complaining about problems, organizing with other tenants, or filing a claim. Retaliation includes increasing rent, shutting off utilities, or attempting to evict a tenant.



If you think any of these laws might apply to you, call the Philly Tenant Hotline at 267-443-2500 to reach legal services agencies.



IS A LAWSUIT RIGHT FOR YOU?

SUING YOUR LANDLORD COULD INVOLVE SOME RISKS, AND THERE MIGHT BE OTHER OPTIONS AVAILABLE.

PROCEED WITH CAUTION IF:

- You haven't paid your landlord rent.
- You caused the damage related to the needed repairs.
- Your landlord has a history of violence, threats, or intimidation.



If you do not want to go to court, you may have other options, like:

- Organize with other tenants in your building
- Wait to bring your claim as a defense to eviction
- Move out
- Withhold rent until repairs are made (talk to a lawyer first!)
- Deduct out-of-pocket repair expenses from your rent

4

COLLECT YOUR EVIDENCE

AFTER YOU DECIDE WHICH LAW APPLIES TO YOUR ISSUE, START GATHERING EVIDENCE TO SUPPORT YOUR CLAIM.

YOUR EVIDENCE COULD INCLUDE:

PHOTOS OF
THE
PROBLEM



RECEIPTS
FROM
EXPENSES



LETTERS,
E-MAILS, &
TEXTS WITH
LANDLORD



DEPT. OF
LICENSING &
INSPECTION (L&I)
REPORT



PRINTING & ORGANIZING

Print and organize your evidence before going to court. Keep documents organized by having pictures of damages together, emails in chronological order, along with important text messages.

Printing your evidence is important to avoid having the judge or your landlord look through your phone at court to review the documents.

NEED A PRINTER?

Try visiting:

- Your local library
- FedEx or UPS Store
- Staples

L&I REPORTS

You can request that someone from L&I visit your home to assess the issue and write a report. To set up an inspection with L&I, call **311**.

Note: Non-emergencies may result in a delayed inspection of up to 30 days.

WITNESSES

You can bring witnesses to court, such as friends or family who know about the issue. If you get an L&I report, you can also try to bring the inspector as a witness. Ask TURN or a court clerk for more info.

Annie takes pictures of the damage and emails them to her mom for safe keeping. She calls L&I and schedules a time for them to look at the leak. She writes down the name and number of the inspector, and prints out a copy of their report.



5

PREPARE FOR FILING

NOW YOU'RE READY TO OUTLINE THE DETAILS OF YOUR CLAIM. WHEN YOU'RE READY TO FILE YOUR CLAIM, BRING THIS WORKSHEET TO COURT WITH YOU.

WARRANTY OF HABITABILITY WORKSHEET

Landlord Full Name:

Landlord Address:

DESCRIBE THE ISSUE

1. What is/are the issue(s) you are experiencing in your home?

Describe in detail - you can use the checklist on p. 3 to get started.

2. When did the issue start? Is it still happening? *Write the (approximate) date. Did the issue start before you moved in?*

NOTICE TO LANDLORD & THE LANDLORD'S RESPONSE

3. When and how did you first contact your landlord about this issue? *Provide the (approximate) date.*

4. How did your landlord respond, if at all?

5. Describe any other conversations you've had with your landlord about the issue, including each time you contacted them and how they responded.

LANDLORD'S FAILURE TO MAKE REPAIRS

6. Has your landlord resolved the issue?

7. If your landlord has done anything to address the issue, why was it inadequate?

HARDSHIP CAUSED BY THE ISSUE

8. How have the issues affected your ability to live in your home?

Describe any related health issues, injuries, safety concerns, inability to use or inhabit parts of your home, etc.

9. Have you personally taken any steps to address the issue? (e.g. making repairs, buying substitute or replacement parts, etc.)

5 PREPARE FOR FILING

DAMAGES CALCULATION

"Damages" are the amount of money your landlord owes you and you will request from the court. You have to calculate this number before filing your lawsuit. You can use the step-by-step instructions in Attachment C to calculate your damages. Bring a copy of this worksheet with you to the Court's Filing Office when you file your claim.

First, calculate how much of your home was "unlivable" so that the court can reduce your rent for those months.

Second, calculate whether you had extra expenses as a result of the issue.

Here is an example of what Annie's calculations look like:

1

Issue	How many months?	Percentage of apartment that is unlivable (i.e. 50%)	Rent per month?	Damages
Leak	1	50	\$500.00	\$250.00



2

Additional items you had to pay for?	Cost of items
New Mattress	\$500.00
Replacement clothes	\$300.00



Total Damages =	\$1,050.00
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Annie fills out the warranty of habitability worksheet and the damages worksheet to prepare for filing her claim.





FILE YOUR CLAIM

WHAT ARE THE STEPS TO FILE YOUR CLAIM?

1. DECIDE WHERE TO FILE

If you are asking for \$12,000 or less, file your claim with the Philadelphia Municipal Court, First Filing Office, located at **1339 Chestnut St., 10th floor**. Note the building is unmarked. (For claims worth more than \$12,000, contact TURN for more information).

2. DETERMINE YOUR LANDLORD'S ADDRESS

You must provide an address where your landlord may be located. If you don't know your landlord's address, you may be able to find it at atlas.phila.gov or property.phila.gov. Type in your own address, and search the records connected to your home for anything that may list your landlord's address. If you are struggling to find your landlord's address, contact TURN for help.

3. GO TO YOUR INTERVIEW

You must file your claim in person. During the pandemic, you must call **215-686-2901** to make an appointment.

The Court will "interview" you and help you fill out the forms. The interviewer will ask you the following:

- the full name and address of your landlord
- the problem or issue you are having
- the exact amount you are seeking in damages
- an explanation of how you arrived at that amount

You can bring the warranty of habitability and damages worksheets to your interview. Give them to the interviewer to help prepare your claim.

CHECKLIST

Here's what you need to bring with you in order to file your claim:

- Landlord's full name**
- Landlord's address**
- Warranty of habitability worksheet**
- Damages worksheet**
- Hard copies of evidence**
- Fee waiver form** (*"in forma pauperis" form*)
- Money for service fee** (*cash, money order, or credit/debit card in your name*)

4. REQUEST A FEE WAIVER

Normally, there is a fee to file a claim. However, you can request a fee waiver by filing “*in forma pauperis*.” You can qualify by showing that you cannot afford to pay the fee by describing your income and expenses. You can fill out this form in advance (see Attachment D).

If you request a fee waiver, your request will be sent to a judge. The court will call you about a week later to tell you if your fee waiver request was approved.

5. PAY THE FEES

There are two fees you may have to pay to file your claim. You can pay by cash, money order, or with a credit/debit card in your name. **You cannot pay with a personal check.** If you request a fee waiver, you do not have to pay until your waiver is approved or denied. If your fee waiver is approved, you **still have to pay** the service fees.

The **filing fee** may be waived by a fee waiver (see above). If you do not qualify for a fee waiver, you must pay:

- \$94.75 (for claims under \$2,000)
- \$116.75 (for claims over \$2,000)

The **service fee** is required to notify your landlord about the lawsuit. The fee is between \$20-50 for service within Philadelphia. If your landlord lives outside of Philadelphia or out of state, the rates vary.

6. GET YOUR COURT DATE

You will get a court date once you have paid all the fees. If you applied for a fee waiver, you will not get a court date until your application is approved and you go back to court to pay the service fee.

What if you find more evidence after filing?

After you file, you can still submit new evidence for **up to 10 days** before your hearing. Just bring a copy to the office where you filed the claim.



After working through the worksheets, Annie decides that she would like to file a lawsuit. She calls the Court’s Filing Office to make an appointment. She brings all of her evidence and a money order for her fees to the filing office. An interviewer helps her fill out the complaint and file it in court.

7

PREPARE FOR COURT

MAKE A PLAN BEFORE YOUR HEARING

Annie filed her claim. Now, Annie can prepare by planning how to get to court and what to do with her kids.



Issue

Tips



TRANSPORTATION

How will you get to court?
Where will you park?
Will you take public transportation?

- Plan your route in advance.
- Take an early bus or train.
- Bring money for parking.



CHILDCARE

Do you have a plan for your children while you are at court?
Can you pay for a babysitter?

- Find a babysitter for the day.
- Your children can come to court if necessary. Bring food and quiet games to keep them busy.



JOB

How difficult will it be for you to take a day (or two) off work?

- Ask your boss for the day off.
- If you come to court late, the judge may rule against you.



ANXIETY ABOUT COURT

Will court be stressful for you?
How can you reduce your anxiety?
Who can you go to for support?

- Prepare your evidence and what you will say in advance.
- Talk to your family, friends, or a TURN counselor for support.



LANGUAGE BARRIER

How comfortable are you in English?
Do you need an interpreter?

- Even if you speak some English, ask for an interpreter if it will help you understand or speak in court.
- See p. 15 for more info.



DISABILITY/ACCESS

Do you have a disability that will impact your ability to go to court?

- The court must provide a reasonable accommodation for your disability. Call at least 3 days in advance to request an accommodation.

Annie's mom agrees to watch the kids the day of the hearing. Annie finds the bus route she should take to get to court at 8:15 am on the day of her hearing, and sets an alarm so that she has time to get ready. She packs her bag with her evidence the night before her hearing.



GO TO COURT

BELOW ARE SOME FREQUENTLY ASKED QUESTIONS ABOUT GOING TO COURT



WHEN DO I NEED TO GET TO COURT?

You must arrive **on time!** If you are not present at the time of roll call, your case may be dismissed. Your notice will say what time court starts. Give yourself extra time to find the courtroom.

WHERE DO I GO AFTER I ARRIVE?

The Court is in the same building where you filed your claim. Enter the building and go to the **6th Floor**. You will have to go through metal detectors. Once the courtroom opens, take a seat and wait for roll call.

WHAT HAPPENS WHILE I WAIT?

Your landlord or their attorney may try to talk to you in the hallway to reach an agreement. If your landlord does not have a lawyer, the court may also assign you to mediation. Mediation is a process where both sides try to reach an agreement without a hearing. **You can refuse to go to mediation and refuse to speak with your landlord or their attorney.** If you decide to try to work things out with your landlord or through mediation, remember that you do not have to reach an agreement and you always have the right to see a judge.

HOW LONG SHOULD I EXPECT TO WAIT AT COURT?

You may have to wait for a long time for your case to be called. Prepare to be there the entire day, as you cannot predict in advance how long you will be there. To be safe, you should take the day off of work.

CAN I BRING MY PHONE OR LAPTOP WITH ME?

Yes, but you may not use them in the courtroom (only in the hallway or waiting rooms). If you use either in the courtroom, a court official can take them away. If you have evidence on your phone or laptop, try to print a hard copy in advance (see p. 8).

WHAT WILL HAPPEN DURING MY HEARING?

Most hearings last between **30-60 minutes**. The judge will ask you questions about your claim, and your landlord will have an opportunity to respond. You should tell your story and show your evidence, including how long the issue lasted, how many times you told your landlord, and your landlord's response.

HOW SHOULD I SPEAK TO THE JUDGE?

Treat the judge with respect and address them as 'Your Honor.' No matter what the judge or other side says, do your best not get angry or swear. Listen carefully to what everyone is saying and do your best to answer questions directly. Bottom line: Keep it simple!

WHAT IF I NEED AN INTERPRETER?

Request an interpreter at least 2 weeks before your hearing. (You can also request a sign language interpreter.) Write a letter with your case number, your native language, and the date of the hearing. You can mail, fax, or bring it to the court (fax no. 215-569-9254).

If you cannot make the request in advance, tell the judge on your court date that you need an interpreter. You will be given another court date to come back when an interpreter is available.

WHO CAN HELP ME ONCE I GET TO COURT?

While you are at court, you can ask the court clerk for help. Court clerks cannot help you with the details of your case but may be able to answer questions about court procedure.

WHAT HAPPENS AFTER THE JUDGE MAKES A RULING?

A judge's ruling is not final for 30 days. Either side has the right to appeal within those 30 days. If you disagree with the ruling, contact TURN or another lawyer for information about filing an appeal.

If you agree with the ruling, wait 30 days to see if your landlord appeals. When the judgment is final, your landlord should pay you. If they don't, you may need to go back to court to enforce the judgment.

CONCLUSION

IN THE END, IT IS YOUR DECISION.

You know your situation best and are able to balance the pros and cons of suing your landlord better than anyone else.

If you made it this far, you know a lot of what you need to know in order to go to court! It can be scary to file a claim, but you can do it. You deserve justice.

Get more information and advice:

Philly Tenant Rights Hotline: (267) 443-2500

Reach multiple Philadelphia legal services agencies at one number. Press 3 to speak with a TURN housing counselor.

TURN Renters' Rights workshops: www.ourturn.net

All workshops are held via Zoom during the pandemic. Attend this workshop for more information about the laws mentioned in this guide and to become eligible for a free one-on-one consultation, where TURN staff can help you prepare your case.



ATTACHMENTS

A. SAMPLE LETTER TO LANDLORD (REQUEST FOR REPAIRS)

B. STEP-BY-STEP DAMAGES INSTRUCTIONS

C. DAMAGES CALCULATION CHART (BLANK)

D. IN FORMA PAUPERIS FORM (FEE WAIVER)

REPAIR REQUEST (PG. 1)

Date: _____

To:

Dear Landlord:

I live in your property at _____.

My unit is in need of repairs. **Please make the repairs checked on the attached list.** The repairs should be made by a competent professional. I will need 48 hours notice that you are sending your workers to make repairs. Please state in your notice when they will arrive and how long they will need to do the work.

This is a serious matter. Failure to make these repairs is a breach and violation of my lease which reduces the value of the rental unit. If you do not make the repairs within a reasonable period of time, I will be forced to choose among the following options:

- Make the repairs myself and deduct costs from next month's rent
- Refuse to pay all or part of future rents until repairs are made
- Deduct from future rents the reduced value of my unit
- Terminate my lease and move out
- File a lawsuit

I expect to hear from you soon. You can reach me at _____.

Sincerely,

Tenant

REPAIR REQUEST (PG. 2)

Tenant name: _____ Address: _____ Date: _____

EMERGENCY REPAIRS (24 to 72 HOURS)

- | | |
|--|--|
| <input type="checkbox"/> Broken heater or insufficient heat | <input type="checkbox"/> No or inadequate hot water |
| <input type="checkbox"/> Broken or sparking electrical outlets | <input type="checkbox"/> Fuses blow frequently |
| <input type="checkbox"/> Exposed wires | <input type="checkbox"/> Rats, mice, bedbugs, or other pests |
| <input type="checkbox"/> Toilet runs, leaks or does not flush | <input type="checkbox"/> Stove or fridge do not work |
| <input type="checkbox"/> Sewer, toilet, or sinks back up | <input type="checkbox"/> Ceiling or floor leaks |
| <input type="checkbox"/> Broken or rotten doors or door frames | <input type="checkbox"/> Clogged sinks |
| <input type="checkbox"/> Damaged fire escapes | <input type="checkbox"/> Missing, cracked, or broken windows |
| <input type="checkbox"/> Broken fire alarms or smoke detectors | <input type="checkbox"/> Broken locks |

URGENT REPAIRS (14 DAYS)

- | | |
|--|---|
| <input type="checkbox"/> Leaking radiator | <input type="checkbox"/> Bannisters are missing on stairs with more than 3 steps |
| <input type="checkbox"/> Outside concrete stairs or walls are broken | <input type="checkbox"/> Fire Extinguishers have not been inspected within the last 12 months |
| <input type="checkbox"/> Floors are not smooth and secure | <input type="checkbox"/> Lighting fixtures do not work |
| <input type="checkbox"/> Broken or rotted window frames | |
| <input type="checkbox"/> Uncovered switch or outlet | |

MAJOR REPAIRS (30 DAYS)

- | | |
|---|---|
| <input type="checkbox"/> Holes or cracks in the ceilings or walls | <input type="checkbox"/> Only one outlet with no ceiling light |
| <input type="checkbox"/> Flooding in the basement | <input type="checkbox"/> Inadequate ventilation |
| <input type="checkbox"/> Ceilings or walls need to be painted | <input type="checkbox"/> Exterior mortar is missing or cracking |
| <input type="checkbox"/> Damp or crumbling basement walls | <input type="checkbox"/> Yard floods |
| <input type="checkbox"/> Broken or rotted window frames | <input type="checkbox"/> No trash storage or pickup |
| <input type="checkbox"/> No dead bolt lock on outside doors | <input type="checkbox"/> Inadequate outside lights |
| <input type="checkbox"/> No outlet | <input type="checkbox"/> Drain pipes and gutters have holes or are detached |

Comments:

STEP-BY-STEP DAMAGES INSTRUCTIONS

COLUMN

STEP

A

Write down each separate issue on the chart (next page).

B

Write down how long each issue lasted in months.

1 week = .25 months; 2 weeks = .5 months, etc.

C

Estimate what percentage of your home is unlivable because of the housing issues.

- a. Estimate this based on how many rooms are unlivable. If you have five rooms total, and three of them are unlivable then $\frac{3}{5}$ (or 60%) of your home is unlivable.
- b. Convert this number to a decimal
ex. 60% --> .60

D

Write in your total rent per month.

E

Calculate the total damages for each issue by multiplying all the columns: **B x C x D = E**.

F

If you had any additional expenses as a result of the issue, you might be able to claim those as damages. Write these down.

Ex. Annie's mattress and clothes were ruined by the leak. She buys a new mattress for \$500 and new clothes for \$300.

G

Add all the numbers in column E and your additional expenses for your total damages.

If you aren't sure about something, talk to a TURN counselor. Remember to save receipts and bring them with you to court.

DAMAGES CALCULATION CHART

USE THE INSTRUCTIONS ON THE PREVIOUS PAGE TO CALCULATE YOUR DAMAGES.

1

A. Issue	B. How many months?	C. Percent of the home that is unlivable (i.e. 50%)	D. Rent per month	E. Damages



2

F. Additional expenses	Cost of items



G. Total Damages =	
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**PHILADELPHIA MUNICIPAL COURT
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**
1339 Chestnut Street, 10th Floor, Philadelphia, PA 19107

Patrick F. Dugan, President Judge

John J. Joyce, Deputy Court Administrator

#

<i>Plaintiff</i>	<i>Defendant(s)</i>
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INFORMA PAUPERIS

1. I am the *plaintiff* *defendant* in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.
2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.
3. I represent that the information below relating to my ability to pay the fees and costs is true and correct.

a. Name:
Address:

b. EMPLOYMENT – IF YOU ARE PRESENTLY EMPLOYED STATE:

Employer:
Address:
Salary or wages per month:
Type of work:

c. UNEMPLOYMENT – IF YOU ARE PRESENTLY UNEMPLOYED STATE:

Date of last employment:
Salary or wages per month:
Type of work:

d. OTHER INCOME WITHIN THE PAST TWELVE (12) MONTHS:

Business or profession:
Other self-employment:
Interest:
Dividends:
Pension and annuities:
Social Security benefits:
Support payments:
Disability payments:
Unemployment compensation & supplemental benefits:
Workman’s compensation:
Public assistance:
Other:

e. OTHER CONTRIBUTIONS TO HOUSEHOLD SUPPORT:

Wife *Husband* Name:

If your (wife) (husband) is employed, state:

Employer:

Salary or wages per month:

Type of work:

Contributions from children:

Contributions from parents:

Other contributions:

f. PROPERTY OWNED

Cash:

Checking account:

Savings account:

Certificates of deposit:

Real estate (*including home*):

Motor Vehicle: Make:

 Year:

 Cost:

 Amount owed:

Stocks, bonds:

Other:

g. DEBTS AND OBLIGATIONS:

Mortgage:

Rent:

Loans:

Other (utilities, etc.):

h. PERSONS DEPENDENT UPON YOU FOR SUPPORT

Wife *Husband* Name:

Initials of minor children only, full names for all other dependents:

Other persons:

Name:

Relationship:

Name:

Relationship:

Name:

Relationship:

Name:

Relationship:

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances, which would permit me to pay the costs incurred herein.

Signature Petitioner/Attorney

Date