

Illegal Evictions

Updated July 7, 2020

What is an illegal (self-help) eviction?

Under Philadelphia Code 9-1600 your landlord needs a court order to evict you.



Legal Eviction

- File a complaint against you in court
- Win a judgment against you in court
- File the writs of possession
- Schedule a lockout date
- Sheriff or LT Officer evicts



Illegal Eviction

- Change your locks without a Sheriff or LT Officer present
- Use force to remove you from the property
- Turn off your utilities
- Remove your possession
- Remove doors or windows

How do I get back in after an illegal eviction?

- **Find out if it was a legal eviction.**
 - Call 215-686-7334 or check fdclaims.phila.gov to see if the landlord followed the legal eviction process.
- **If the eviction was illegal, call 911 and ask for police response.**
 - Show the officer your lease, rent receipts, utility bills or photo ID to prove it's your home.
 - If an officer does not help, call 911 again and ask for a supervisor.
- **If you need more help:**
 - Call the Philly Tenant Hotline at 267-443-2500 or go to www.phillytenant.org for legal help and information.
 - File a complaint with the PA Attorney General 800-441-2555 or www.attorneygeneral.gov/submit-a-complaint/consumer-complaint
 - File a complaint with the Fair Housing Commission at 601 Walnut St, Suite 300-South, 215-686-4670 or Fairhousingcomm@phila.gov

How do I sue my landlord for an illegal eviction?

- **Send a demand letter.** See other side for a sample letter.
 - You will need the landlord's name and address.
- **Call 215-686-2910 to schedule an appointment to file a Small Claims case in Municipal Court at 1339 Chestnut St.**
 - File an "IFP" to not pay court costs.
 - You can sue for actual damages, up to \$2000 punitive damages, attorney fees and court costs.
 - You will need evidence to prove your claim like documents/photos.
 - Be careful. Your landlord can try to countersue you in court.



Philadelphia
Eviction
Prevention
Project

Philly Tenant Hotline 267-443-2500 www.phillytenant.org

The Philadelphia Eviction Prevention Project is a joint effort of: Clarifi, Community Legal Services, Legal Clinic for the Disabled, Philadelphia VIP, SeniorLAW Center, and Tenant Union Representative Network

Re: Illegal Eviction Demand Letter

_____ (today's date)

_____ (owner name)

_____ (owner address)

_____ (owner city/state/zip)

Dear _____ (owner name),

I am writing in response to your actions to evict me from

_____ (address of property).

On _____ (date of illegal eviction) you or someone working for you violated Philadelphia Code 9-1600 Prohibition Against Self-Help Eviction Practices by:

- Threatening to change locks, or changing locks without a court order or without sheriff or LT officer present.
- Threatening to shut off utilities, or shutting off utilities.
- Threatening to remove doors or windows, or removing doors or windows.
- Threatening to remove my possessions, or removing my possessions.
- Threatening to use physical force, or using physical force to remove me from the property.

I am writing to demand that you:

- Cease these actions immediately and go through the legal eviction process.
- Compensate me in the amount of \$_____ for actual damages including but not limited to the following (list damages/costs):

If we are not able to settle this matter, then I intend to file in court for the actual damages, \$2000 punitive damages, reasonable attorney fees and court costs. Thank you for your attention to this matter.

Sincerely,

_____ (your signature)

_____ (your name printed)

_____ (your mailing address)

_____ (your city/state/zip)

_____ (your phone)

Send one copy by Certified Mail/Return Receipt Requested. Send one copy by Regular Mail. Keep one copy for your records.