



**DIVISION OF STUDENT AFFAIRS**

## Off-Campus Living Information Packet

The Community Development unit of the Division of Student Affairs at La Salle University seeks to support and care for off-campus students; educate students about the responsibilities of community living; and assist the Government and Neighborhood Relations unit of University Advancement to work with local residents to resolve issues of mutual concern. Staff intends to assist students to understand their rights and responsibilities as tenants and as members of the community. We also encourage the development of good relations with their neighbors. We will conduct informational meetings and individual advising as well as provide materials to be distributed to Off-Campus students in order to forward these goals.

### **Brother Augustine Center for Off Campus and Commuter Students**

The Brother Augustine Center is located at 5632 Uber Street and is the office of the Community Coordinator for Off Campus and Commuter Students. The phone number at the center is (215) 424-7570. The center also houses a lounge for commuter and off campus students with a television and couches that is available for students to hold meetings, relax between classes, or host programs.

### **Commuter and Off-Campus Association (CAOS)**

CAOS is a student organization that plans social and educational activities for commuters and off campus students so they may become involved, meet one another, and be connected to campus. The Director of Off-Campus Communities advises CAOS. To get involved, contact the Brother Augustine Center for Off-Campus and Commuter Students.

### **Living in the Community**

The on-going relationship between the neighborhood and University is an interdependency that enriches the lives of all members of our Philadelphia community. Off-campus students play an important role in the development of a positive relationship between the University and the community. The residents of the neighborhood have but one simple request of students: **be good neighbors**.

#### Be a good neighbor

- Introduce yourself. Let neighbors have your phone number so they can contact you if they have a concern. You'll find that your neighbors have diverse backgrounds, careers, and experiences. It will be a neat experience to get to know them.
- Appreciate and respect that community residents have different lifestyles than college students.
- Realize that a major source of irritation is noise. Be conscious of stereo volume, party noise, and in particular, street noise.
- Regulate your parties and limit them to weekends. Clean up after the party – check your neighborhood for signs of party litter.
- Keep up the appearance of your dwelling:
  - ☆ Trash in containers and away from the street until pick up
  - ☆ Lawns, sidewalks, and streets clean
  - ☆ Obey the local parking regulations

## **Parties and Noise**

Parties- In a row house neighborhood with shared walls and adjoining yards, a party in one house can have an unintended impact on the neighboring house. To avoid giving your neighbors an unpleasant surprise, let them know when a party is planned. Send them a note at least three days in advance of the party, telling them about the event and giving them the hours. Ask them to give you a call if they need to discuss the event. They will appreciate your consideration and may be more tolerant of an increased noise level if they know the reason and have some idea of when the party is scheduled to end. Please note that informing your neighbors of the party does not give you the right to cause a disturbance!

Your attitudes and actions are often received as a reflection on the University. Community Development supports your involvement in University and community activities designed to develop a cooperative and understanding relationship with the residents of the neighborhood.

It is also important that you are aware of the University's expectation of students living in off campus housing adjacent to the campus. The following is an excerpt for the La Salle University *Student Guide to Resources, Rights and Responsibilities*:

### **Off Campus Behavior**

As a member of the local community, La Salle University is committed to assisting neighborhood residents with the prevention of disruptive incidents that may arise from student behavior.

Most students who live temporarily in the local community make positive contributions but all must understand the behavior expected of them as residents of these communities. As members of both the University and their neighborhood community, students who live within walking distance of the campus should demonstrate respect and concern for all members of both communities.

The University imposes an obligation upon all students to behave as responsible citizens when in local neighborhoods. Furthermore, the University reserves the right to refer any student involved in disruptive or offensive behavior off-campus to the student disciplinary system for investigation and action. Such behavior includes, but is not limited to: excessive and/or unreasonable noise; rude and abusive language; large disruptive activities; illegal use, sale, and/or distribution of alcohol or other drugs; and, related violations of local community standards. The University will exercise discretion with disciplinary action against students for off-campus violations. Mediation efforts to resolve disputes with neighbors and/or landlords will precede formal University action; however, students should realize that disciplinary investigation and charges will be initiated when the University's interest, reputation, and/or capacity to function as an academic community is distinctly involved.

## **Guidelines For All Residents With City Trash Collection**

### KNOW YOUR TRASH COLLECTION DAY

Place your trash out only on your scheduled collection day. If you are unsure of your collection day, call the Streets Department's CUSTOMER AFFAIRS UNIT at 215-686-5560. Your trash is to be placed on your property.

### PUT OUT YOUR TRASH AT THE CORRECT TIME

For evening collection, put trash out after 4pm on the day of pickup. For daytime collection, put trash out after 7pm the evening before your collection day and no later than 7am of the day of collection.

#### PUT OUT TRASH IN PROPER CONTAINERS

Place all trash in personal trashcans or sealed plastic bags, filled only to the 75-pound limit. Securely tie newspapers, wood scraps, cardboard boxes, and other loose items into bundles no more than four feet long and two feet thick. **NOTE: Cardboard boxes may never be used as containers for trash, regardless of who collects it!**

#### USE YOUR OWN CONTAINERS TO DISPOSE OF TRASH

City litter baskets are for pedestrian use only. Do not use them to dispose of your household trash.

#### KNOW WEEKLY LIMITS ON THE AMOUNT OF TRASH

You may set out up to four containers (32 gallon maximum) or ten 30"x37" plastic bags, for a maximum of 220 pounds. Private collection is required or you exceed these limits, if your business is manufacturing or wholesaling, or if your building includes more than six units. To arrange for private collection, look in the Yellow Pages under "Rubbish and Garbage Removal." Businesses contracting for private trash services are not entitled to any collection by the City.

#### **What Is Recycling?**

Recycling is collecting, processing, and reusing materials that would otherwise be thrown away. We can make new recycled paper products from recycled paper instead of wood pulp; new aluminum cans from recycled aluminum cans; new glass bottles from recycled glass bottles; and new metal products like car parts from tin cans.

#### **Why Should I Recycle?**

Recycling diverts waste from being land-filled or incinerated, conserves energy since it takes less energy to produce new products from recycled materials and saves natural resources that sometimes cannot be replaced.

#### **Do I Have to Recycle?**

Yes. Recycling is the law in Philadelphia. If you don't recycle, you can be fined up to \$300.00.

#### **How Do I Get a Recycling Bin?**

Just call 215-685-RECYCLE (7329).

## **Understand Your Responsibilities**

From the Philadelphia City Code and Home Rule Charter:

### **§10-404. Prohibited Conduct.**

(1) No person shall discharge or allow the escape of sounds or vibrations of a nature which result in or cause noise or excessive vibration.

(2) No person, excluding the operator of a motor vehicle while such vehicle is being driven, shall operate a radio, tape player or similar device, unless used in connection with an earplug or earphones which will prevent the emanation of noise, or unless such radio, tape player or similar device is used in connection with the holding of a public assembly for which a permit or license has been issued by the City, in any public area of a residential district between the hours of 9:00 P.M. and 8:00 A.M.

(3) No person shall operate a radio, tape player or similar device, in any public area of a residential district at a sound level which produces sound audible at a distance greater than one hundred (100) feet from the location of such radio, tape player or device unless such radio, tape player or similar device is used in connection with the holding of a public assembly for which a permit or license has been issued by the City.

#### **CHAPTER 10-500. PROPERTY–DAMAGING, DEFACING AND INTERFERING WITH**

##### ***§10-501. Prohibited Conduct.***

(1) No person shall destroy, damage, or deface in any way, public or private real property, whether occupied, vacant and/or abandoned.

#### **CHAPTER 10-600. PUBLIC PLACES — PROHIBITED CONDUCT**

##### ***§10-603. Loitering***

(1) Definitions:

(a) **Loitering.** Idling or lounging in or about any place or facility described in (2), so as to prevent others from passage, ingress or egress, or to idle or lounge in or about any place or facility described in (2) in violation of any existing statutes or ordinances.

(2) **Prohibited Conduct.** No person shall loiter in, on or about any underground platform or concourse, or any elevated platform serving public transportation facilities, or any underground or elevated passageway used by the public, or any railroad or railway passenger station or platform, or on the steps leading to any of them. No person shall loiter in, on or about private property used to accommodate the public.

##### ***§10-604. Alcoholic Beverages***

2) Prohibited Conduct.

(a) No person shall bring onto any city-owned recreation center, playground or park area, with the exception of Fairmount Park, proper, or drink thereupon an alcoholic beverage unless such person has written permission for that purpose from the person in charge of the City facility.

(b) No person shall consume alcoholic beverages or carry or possess an open container of alcoholic beverages in the public right-of-way, or on private property without the express permission of the landowner or tenant.

# Know Your Rights

## - BASIC TENANTS' RIGHTS -

A tenant has certain basic rights, whether written into the lease or not. The Landlord Tenant Act of 1951 outlines these basic tenant's rights. Since 1951 there have been certain amendments to the law, such as the "Warranty of Habitability" (1978) and the Philadelphia City Council Ordinance of 1987, making it illegal for a landlord to lock a tenant out, shut off utilities, or harass with the intention of evicting without due process.

In July 1994 the "Plain Language Contract Act" was enacted. According to this act all residential leases after this date must be written, organized, and designed so that they are easy to read and understand by consumers. As a result, widely used leases such as #42, #50, L-1A, L-1G can no longer be used unless revised for compliance. However, a lease that is easy to understand is not necessarily a fair lease. Certain leases still contain unfair, illegal clauses or ask tenants to waive important rights. Commercially available Lease 78, part 1 and 2, and The Penn Consumers Board Lease are fair leases. Lease L-R 1996/97, now widely used, has certain clauses that are unfair and you should try to override them. Since 1995 all leases for properties built prior to 1978 must contain a "Lead Paint Disclosure" clause.

### BASIC RIGHTS

Tenants have the right to:

- Fair Housing, or freedom from discrimination because of membership in a protected class (in the State of Pennsylvania the protected classes are: race, color, national origin, gender, familial status, disability, creed, ancestry, or age over 40);
- A clean, safe place to live, in compliance with the warranty of habitability, which includes:
  - structurally sound building,
  - waterproof roofs, ceilings, and walls,
  - walls and woodwork properly painted (no peeling-off paint),
  - adequate heat in winter,
  - hot and cold running water,
  - bathroom equipment and drains that work properly,
  - functioning stove,
  - doors that lock properly,
  - windows that work and can be locked,
  - apartment/house free from infestation with roaches and/or rodents,
  - a building with smoke detectors, fire extinguishers and fire escapes;
- Repairs to be made promptly and properly by property owner/manager;
- Enforce the right to habitable premises by using legal remedies such as repair and deduct, rent reduction, rent withholding, or move out of uninhabitable premises with the right to recover all prepaid rent and deposits.

**NOTE: CONSULT WITH A HOUSING COUNSELOR OR YOUR ATTORNEY BEFORE USING ANY OF THE ABOVE REMEDIES.**

- Privacy and protection from intrusion and harassment from the landlord;
- Quietly enjoy full possession and use of the premises;
- Make complaints to governmental authorities about violation of rights without retaliation;

- Represent himself/herself in court and sue the landlord;
- Move out when necessity arises, for any number of legitimate reasons, and have the landlord make a diligent effort to mitigate damages;
- Prompt return of all deposits and interest due
- Property seizures, lock-outs or evictions only in accordance with established legal procedures and with proper advance notice;
- Recover damages for violation of rights;
- Hold the landlord responsible for damage or physical injury if it can be proved that the property owner or manager was negligent;
- A lease that guarantees these rights in writing.

Older leases contained such illegal clauses as distraint (the landlord has the right to enter apartment, seize tenant's property and sell it if tenant fails to pay rent) and disclaimer of liability for negligence. The language used was full of confusing legal jargon so it was difficult to understand that important tenant's rights were violated by the lease. The disclaimer of liability for landlord's negligence is still part of many leases currently used. The confession of judgment clause was also formulated in the same "legalese" and by signing a lease containing such a clause tenants were giving power of attorney to their landlord/property manager/realtor, who could represent them in court. After 1994, such clauses, should they appear in leases, will have to be formulated in language easy to understand so a tenant no longer needs a translation of such clauses.

### **WAIVABLE RIGHTS**

Some leases may ask lessees to waive their right to notice or to reduce it to five days. The law requires 10 days of notice for non-payment of rent and 15 days for other violations of lease terms. Make sure you understand that the right to notice in case of non-payment of rent or other violations of the lease term is a waivable right. Another right, which is a waivable right, is the right to continue a lease when the property has been sold. Some leases ask the lessee to agree that in case there is a foreclosure sale, the new owner has the right to terminate lease.

**NOTE: READ AND UNDERSTAND YOUR LEASE BEFORE SIGNING. NEGOTIATE ADDITIONAL TERMS AND WRITE THEM INTO THE LEASE. ALWAYS GET A COPY OF ANY DOCUMENT YOU SIGN.**

Once you have signed the lease you have committed yourself to all its terms, even if some of them may be unfair to you. Only illegal clauses, if any, will not apply.

Leases can be negotiated. The best time to negotiate is before signing. Clauses can be crossed out if both parties agree. Any deletions must be initialed by both parties in order to be valid. If additions are to be made, some leases provide space for "special clauses". Additional agreements can also be attached in Riders. Remember: the agreement in the rider supersedes any clause with the same content in the main body of the lease. If the lease you must sign has a rider, read it carefully, and make sure you agree to those terms. Landlord riders sometimes contain clauses that invalidate certain favorable terms outlined in the main lease (e.g. subletting, repairs, penalties for late payment and others).

# HOW TO FILE A COMPLAINT OR AN APPEAL

## COMPLAINTS

If the landlord is not carrying out his responsibilities, the tenant should tell the landlord what is wrong. If the landlord fails to act, the tenant should report the problem to the Department of Licenses and Inspections, Services and Operations, by calling **686-2463**.

When making a complaint the person must give his or her name and/or address, as well as the address of the problem property and the nature of the complaint. An inspection will be conducted.

If an inspector is unable to get in, he or she will leave a card; the recipient is required to call the number on the card to arrange for an inspection.

The department does not divulge the identity of a complaint, and will not accept anonymous complaints.

## APPEALS

Any person who believes that the Department has erred in some action that has been taken, or wishes to obtain a variance from the requirements of the Building Construction and Occupancy Code may appeal to the Appeals Boards Administrator in the Concourse Level, Municipal Services Building, 1401 John F. Kennedy Boulevard, within thirty days of receiving a violation notice. Call 626-2427 for more information.

## **CONSUMER RESOURCES DIRECTORY**

### **DEPARTMENT OF LICENSES AND INSPECTIONS**

#### Complaints and Inspection Requests

Utility Shut-off	
Drainage Complaints	686-2463
Dangerous Buildings	
Vacant Houses/Lots	

Heat Complaints	686-2590
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License Information	686-2491
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Zoning Information	686-2435
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Housing Code Information	685-3868
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Permits	686-2572
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Board of License and Insp. Review	686-2427
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Zoning Board of Adjustment	686-2429
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### **HEALTH DEPARTMENT**

Air Pollution and Noise pollution	823-7500
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Animal Control Complaints (SPCA)	426-6300
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Insect Control	685-9713
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Rat Control	686-9719
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Unsanitary Food Stores, Restaurants	823-7495
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Lead Poison Information	978-2788
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### **DEPARTMENT OF STREETS**

Trash Pick-up, Street Cleaning	686-5560
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Missing Street Lights (PECO ENERGY)	697-8844
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Other Street Lighting Problems (Streets Dept.)	686-5515
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## **FAIR HOUSING COMMISSION**

Unfair Rent Increases & Eviction 686-3237

## **HUMAN RELATIONS COMMISSION**

Discrimination Complaints 686-4692

## **INFORMATION**

"First Call For Help" (Referral Services) 568-3750

Mayor's Action Center 686-3000

Community Legal Services 893-5300

Lawyer Referral & Information 238-1701

Tenant Action Group (TAG) 575-0700

Municipal Court 686-7957

Small Claims Court 686-7987

## **EMERGENCY**

Fire, Police, Medical 911

Suicide & Crisis Intervention 686-4420

## **HOT LINES**

Abused Women/English  
(Women Against Abuse) 739-9999

Abused Women/Spanish  
(Women Against Abuse) 235-9992

Child Abuse  
(PA Dept. of Public Welfare) 1-800-932-0313

Child Abuse  
(Philadelphia Dept. of Human Services) 686-6100

Emergency Shelter - Youth 12-18  
(Youth Emergency Services 24hrs) 787-0633

Emergency Shelter -  
Women/Families  
(Elizabeth Shirley house 3PM-7AM) 568-5111

Emergency Shelter - Single Men (Ridge Avenue Shelter 3PM-7AM)	236-0909
Emergency Shelter (Off of Emergency Shelter/Services 7AM-3PM)	686-7150
Senior Citizen Help Line (Philadelphia Corporation for Aging)	765-9040
Poison Information (Poison Control Center)	386-2100

<b>Brother Augustine Center</b>	424-7570
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