

Notes

⁴⁹ Added, Bill No. [130156-A](#) (approved December 18, 2013).

§ 16-701. Preliminary Provision.

- (1) This Chapter is in accordance with the provisions of Act 153 of 2012, codified at 68 Pa. C.S. §§ 2101 et seq.
- (2) The Philadelphia Land Bank, hereinafter the "Land Bank", shall possess all powers and duties permitted to it under state law, except where expressly limited in this Chapter.

§ 16-702. Creation.

- (1) Council finds and declares that there is a need for a land bank to function within the territorial limits of the City and County of Philadelphia.
- (2) Accordingly, pursuant to 68 Pa. C.S. § 2104, the Council of the City of Philadelphia hereby authorizes the creation of a public body corporate and politic, to be named the "Philadelphia Land Bank".

§ 16-703. Mission. ⁵⁰

The mission of the Land Bank is to return underutilized property to productive use through a unified, predictable, and transparent process, thereby to assist in revitalizing neighborhoods, creating socially and economically diverse communities, and strengthening the City's tax base.

Notes

⁵⁰ Amended, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-704. Board of Directors.

- (1) *Permanent Board.* The Land Bank shall be governed by a Board of Directors, comprised of eleven (11) members. Five (5) members of the Board shall be appointed by the Mayor; five (5) members of the Board shall be appointed by majority vote of all the members of City Council; one (1) member shall be appointed by majority vote of the other members. All members shall serve terms concurrent with the appointing authority, and shall serve at the pleasure of their appointing authority. Members shall continue to serve until their successors have been appointed. Any individual or organization may submit recommendations for board membership to be considered in making appointments.
- (2) *Qualifications.* Members shall include individuals with expertise in relevant areas, including but not limited to planning, real estate development, open space, and architecture; may not be elected public officials; and shall live or have a primary office in the City of Philadelphia.

At least four (4) members of the Board must be employees, members, or board members of nonprofit or advocacy organizations working in the field of housing or community development, or of civic associations, with each appointing authority to appoint two (2) such members. These members shall have particular knowledge of conditions and needs in neighborhoods with significant rates of vacant and/or publicly-owned properties.

- (3) The Board of the Land Bank shall hold monthly public meetings, shall make each meeting's agenda available on the Land Bank's website at least ten (10) days in advance of such a meeting, and shall allow for public comment on matters under deliberation at each such public meeting.

§ 16-705. Acquisition.

- (1) A primary purpose of the Land Bank is to acquire and consolidate surplus property of the City of Philadelphia, the Philadelphia Redevelopment Authority, and the Philadelphia Housing Development Corporation, which it shall endeavor to accomplish with due speed and diligence.

- (2) The Land Bank is authorized to acquire real property or interests in real property through donation, gift, purchase, or any other legal means, provided that, with respect to the acquisition of tax delinquent properties, the Land Bank shall follow the procedures and limits set forth in subsection (3).

- (3) *Acquisition of Tax Delinquent Properties.*

- (a) *Tax Sale Actions Initiated by the Land Bank.*

- (1) *Assignment of Liens and Claims to the Land Bank.* The Land Bank is authorized to enter into agreements with the City of Philadelphia and the School District of Philadelphia to assign and transfer a lien or pre-judgment claim to the Land Bank, and to exercise the rights, privileges, and remedies of an assignee as stated in 53 P.S. §§ 7101 et seq., provided that the Land Bank shall not accept assignment of any liens or pre-judgment claims against an owner-occupied property.

(2) *Certifications for Tax Sale Actions Requested by the Land Bank.* The Land Bank is authorized to request that the City of Philadelphia certify for upset or judicial sale a property that is delinquent as to municipal taxes or claims, provided that the Land Bank determines that the acquisition is consistent with its mission and policies. Application for such certification may be made to the Land Bank by an individual or organization, and such applicants shall be entitled to explanation in writing if denied. ⁵¹

(b) *Tax Sale Actions Initiated by the City of Philadelphia.* The City of Philadelphia shall provide to the Land Bank notice of potential upset and judicial sales listing properties by address. Before any upset or judicial sale of real property initiated by the City of Philadelphia, the Land Bank shall elect whether to seek acquisition of the property. The Land Bank shall not seek to acquire such owner-occupied properties without first confirming that an appropriate payment plan has been offered for any municipal taxes or claims, including evaluation for an income- based payment agreement.

(c) For purposes of this subsection (3), the term “interested party” means the owner immediately preceding the tax sale (“prior owner”), the prior owner’s assignee, or any party whose lien or estate would be discharged at a tax sale of a particular property. ^{51.1}

(d) The Land Bank shall not exercise its right to be the sole bidder with respect to any property it seeks to acquire at a tax sale pursuant to 68 Pa. C.S. § 2117(d)(4) unless notice of the Land Bank’s intent to do so has been provided to all interested parties in the City’s tax sale petition and no party has requested, in writing to the Land Bank delivered at least ten (10) days before the tax sale, that the property be subject to open bidding. For any property with respect to which a tax sale petition was filed prior to this subsection (d) becoming law, but for which no tax sale has taken place, and which property the Land Bank may seek to acquire as sole bidder, notice of such intent to acquire shall be provided by first-class mail to all interested parties, and such interested parties shall have until (10) days before the tax sale to request, in writing to the Land Bank, that the property be subject to open bidding. ^{51.2}

(e) Upon exercise by the Land Bank of such sole bidder rights, the Land Bank must make the property acquired at tax sale available for reacquisition by the prior owner based on the following. The prior owner seeking to reacquire such property must, within sixty (60) days of the date of the tax sale, notify the Land Bank in writing, at its public address via certified mail, return receipt requested, of the prior owner’s intent to purchase the property. The Land Bank shall transfer such property to the prior owner if, within 60 days of delivery of the notice of intent to reacquire, the prior owner has tendered payment to the Land Bank the full amount bid by the Land Bank for the property at the tax sale. Upon receipt of such purchase amount, the Land Bank shall promptly prepare and provide to the prior owner a deed conveying the property from the Land Bank to the interested party. ^{51.3}

(4) Subject to the prior approval of the Finance Director, the Land Bank is authorized to discharge liens and other municipal claims, charges, or fines against the properties it acquires to the extent permitted by law.

(5) For the duration of the time a property is held by the Land Bank, such property is exempt from all real estate taxes, water, sewer, stormwater and other municipal charges to the extent permitted by law. ⁵²

(6) The Board shall maintain a preference, wherever feasible, for keeping former owner-occupants in any residences acquired by the Land Bank, in addition to any other policies the Board may adopt in this regard.

(7) *Transfer of Title of City Properties to the Land Bank.* ⁵³

(a) The Commissioner of Public Property is authorized to transfer title to any City property to the Philadelphia Redevelopment Authority for subsequent transfer by the Redevelopment Authority to the Land Bank in accordance with subsection (b).

(b) Disposition of any such property by the Philadelphia Redevelopment Authority to the Land Bank must be approved by City Council resolution.

(c) Disposition of any such property by the Land Bank, as defined in Chapter 16-400, shall be pursuant to Chapter 16-400 of the Code (“Surplus Properties”). ⁵⁴

Notes

⁵¹ Amended, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

^{51.1} Added, Bill No. [240187](#) (approved June 12, 2024).

^{51.2} Added, Bill No. [240187](#) (approved June 12, 2024).

^{51.3} Added, Bill No. [240187](#) (approved June 12, 2024).

⁵² Amended, Bill No. [161006](#) (approved December 20, 2016); amended, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

⁵³ Added, Bill No. [150161](#) (approved April 21, 2015).

⁵⁴ Amended, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-706. Disposition. ⁵⁵

(1) The Land Bank is authorized to convey, exchange, sell, transfer, lease, grant or mortgage interests in real property in the form and by the method determined to be in the best interests of the Land Bank in accordance with the requirements of Chapter 16-400 of the

Code ("Surplus Properties").

Notes

55 Repealed and replaced, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-707. Ethics and Conflicts of Interest. 56

The Land Bank shall be governed by the State Adverse Interest Act of July 19, 1957 (P.L. 1017, No. 451) and 65 Pa. C.S. Ch. 11 (relating to ethics standards and financial disclosure). The Land Bank shall also be governed by Chapter 20-600 (Philadelphia's "Standards of Conduct and Ethics") and Chapter 20-1200 ("Lobbying"). As part of its policies, the Land Bank shall adopt strict ethical guidelines for Land Bank board members and employees, and promulgate rules addressing and protecting against potential conflicts of interest. These guidelines and rules shall supplement any applicable state and local laws.

Notes

56 Repealed and replaced, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-708. Financial Provisions. 57

(1) The Land Bank may be financed by the City of Philadelphia and through any other means authorized in 68 Pa. C.S. §§ 2101 et seq.

Notes

57 Repealed and replaced, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-709. Dissolution; Distribution of Assets in Case of Dissolution. 58

(1) The Land Bank may be dissolved according to the requirements of 68 Pa. C.S. § 2114.

Notes

58 Repealed and replaced, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-710. Reserved. 59

Notes

59 Repealed, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.

§ 16-711. Reserved. 60

Notes

60 Repealed, Bill No. [190606-AA](#) (approved November 12, 2019). See note 33 for effective date provisions.