

CONTACT US

Philadelphia's Sheriff's Office
100 S. Broad Street
5th Floor
Philadelphia, PA 19110
(215) 686-3560
www.phillysheriff.com

SHERIFF OFFICE LOCATIONS

Main Location

100 S. Broad Street
(215) 686-3530

Warrants

714 Market Street
(215) 683-3726

Family Court/Domestic Operations

1501 Arch Street
(215) 686-3526

Criminal Justice Center

1301 Filbert Street
(215) 686-7900

Traffic Court

800 Spring Garden Street
(215) 686-1671

Landlord/Tenant Court Widener Bldg

1339 Chestnut Street
(215) 686-3590



"I am dedicated to helping the citizens of the City and County of Philadelphia by establishing a culture of service."

– Sheriff Rochelle Bilal

SQUATTERS & EVICTIONS

The Sheriff's Office is committed to service, procedural justice, and the sanctity of human life.



WHAT IS IT?

INTRODUCTION

Philadelphia has specific regulations to address Criminal and Defiant Trespassers in order to protect property rights and public safety. This pamphlet (1) explains key differences between a squatter, a tenant, a holdover tenant, and a criminal and defiant trespasser, (2) requirements for removal of a criminal and defiant trespasser, and (3) instances where our Office should be contacted.

WHAT IS THE “CRIMINAL AND DEFIANT TRESPASSER ORDINANCE?”

Pursuant to Section 10-840 of The Philadelphia Code, criminal and defiant trespassers have no rights to occupy residential property as against the rights of the current owner or authorized agent of said residential property. It establishes processes to remove such individuals while safeguarding property owners and residents.

KEY TERMS

Tenant: an individual who occupies another person’s property and has the owner’s written or oral consent (a lease or agreement) to live there.

Holdover Tenant: a tenant who continues to live on a property after their lease or rental agreement expires.

Criminal and Defiant Trespasser: A person whom the owner of a property or authorized agent of said owner alleges is criminally and defiantly trespassing on the owner’s residential property.

Squatter: a person who settles in or occupies a piece of property with no ownership or legal rights to said property (no lease or oral agreement with the owner to occupy the property).

YOUR RIGHTS!

Owner or Authorized Agent Affidavit: A document that the property owner or agent signs to declare the presence of a criminal and defiant trespasser and to request police assistance.

Philadelphia Eviction and Housing Fact Sheet:

A resource detailing legal procedures for eviction, contact information for legal aid, and guidance for property owners and tenants.

RIGHTS OF OWNERS & AUTHORIZED AGENTS:

Property owners or their authorized agents have the right to request assistance from law enforcement if they believe someone is unlawfully occupying their property. To initiate the process, they must submit an affidavit to the Philadelphia Police Department outlining the following:

- A declaration of ownership of property
- Demonstration that the criminal and defiant trespasser has no legal right to the property
- Demonstration that the affiant or previous owner never established a landlord-tenant relationship with the criminal and defiant trespasser
- A request for assistance from the Philadelphia Police Department because the affiant believes a crime is being committed

POLICE AND COURT PROCEDURES FOR REMOVING CRIMINAL AND DEFIANT TRESPASSERS

The police will investigate reports of criminal and defiant trespassers based on the property owner’s affidavit and assess if there’s probable cause for criminal trespass. If appropriate, the owner may also request a court hearing for an emergency preliminary injunction to remove the occupant.

WHEN TO CONTACT US?

There are instances where it does not rise to the level of a crime, but the owner still needs to remove a person from the property.

Examples:

- The tenant does not pay rent
- A tenant whose lease expires but refuses to leave the property
- A squatter

FREQUENTLY ASKED QUESTIONS (FAQ)

What is the difference between a criminal, a defiant trespasser, and a tenant?

A tenant has a legal right to the property by way of a lease or rental agreement with the property owner. A squatter occupies the property without any agreement, lease, or permission from the property owner, making them subject to eviction.

How do I know if someone is a criminal trespasser?

A person is considered a criminal trespasser if they have no legal right or authorization to enter or occupy the property.

Can property owners use “self-help” to remove trespassers?

No. Property owners are prohibited from using self-help (such as changing locks or removing belongings) to evict an occupant. They must follow legal procedures, which may include filing an affidavit with the police, or filing an injunction, ejectment, or eviction with the court.

What should I do if I suspect a criminal and defiant trespasser is occupying my property?

File an affidavit with the Philadelphia Police Department. The police will investigate and, if needed, refer the matter to court for further action.