

---

ARTICLE 1103  
Rent Withholding Procedures

1103.01 Rent Into Escrow Account  
1103.02 Funds in Account  
1103.03 Certification as Unfit

1103.04 Certification as Fit  
1103.05 Eviction Prohibited

---

1103.01 RENT INTO ESCROW ACCOUNT

Whenever a dwelling is certified as unfit for human habitation by the Code Enforcement Officer of the City of Franklin, the tenant occupying said dwelling may suspend paying rent to the landlord until the dwelling is certified as fit for human habitation by the City Code Enforcement Officer or until the tenancy is terminated for any reason other than nonpayment of rent; however, during any period when the duty to pay rent is suspended and the tenant continues to occupy the dwelling, the rent withheld shall be deposited by the tenant in an escrow account in:

- a.) Northwest Savings; or
- b.) First National Bank of Pennsylvania.

(Ord. 14 of 1976, Sect. 1, Passed 10-18-76)

1103.02 FUNDS IN ACCOUNT

Rent paid into an escrow account pursuant to and in accordance with Section 1103.01:

- a.) shall be paid to the landlord when the dwelling is certified as fit for human habitation at any time with six (6) months from the date on which the dwelling was certified as unfit for human habitation; or
- b.) shall be paid to the tenant depositor if the tenant's dwelling is not certified as fit for human habitation within six (6) months from the date on which the said dwelling was certified as unfit for human habitation except that said rent funds deposited in escrow by the tenant may be used for the purpose of making such dwelling fit for human habitation and for the payment of utility services for which the landlord is obligated but which the landlord refuses or is unable to pay.

(Ord. 14 of 1976, Sect. 2, Passed 10-18-76)

1103.03 CERTIFICATION AS UNFIT

The City Code Enforcement Officer shall file with the tenant, with the landlord and with the bank designated by the tenant a copy of the certification of the tenant's dwelling as

unfit for human habitation, evidencing the date of said certification, the address of the dwelling, and the name of the tenant and the name and address of the landlord. (Ord. 14 of 1976, Sect. 3, Passed 10-18-76)

#### 1103.04 CERTIFICATION AS FIT

If the City Code Enforcement Officer thereafter certified the tenant's dwelling as fit for human habitation, the City Code Enforcement Officer shall file with the tenant, with the landlord, and with the bank designated by the tenant at the time the said dwelling was certified as unfit for human habitation, a copy of the certification of the tenant's dwelling as fit for human habitation, evidencing the date of said certification, the address of the dwelling, the name of the tenant and the name and address of the landlord. (Ord. 14 of 1976, Sect. 4, Passed 10-18-76)

#### 1103.05 EVICTION PROHIBITED

No tenant shall be evicted for any reason whatsoever while rent is deposited in escrow during the six (6) month period following the date on which the tenant's dwelling was certified as unfit for human habitation. (Ord. 14 of 1976, Sect. 5, Passed 10-18-76)