

WFG Underwriting Bulletin



To: All Pennsylvania Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: June 7, 2023
Bulletin No. PA 2023-09
Subject: Philadelphia – Right of First Refusal on Affordable Housing Properties

Philadelphia's City Council has passed two new Ordinances regarding affordable housing restrictions and requirements that were signed into law by Mayor Kenney on May 24, 2023.

Copies of the Ordinances can be found here:

[Philadelphia Ordinance Bill No. 221017](#)

[Philadelphia Ordinance Bill No. 221018](#)

Among other things, these Ordinances:

- Require owners to send notices to various stakeholders before marketing affordable housing properties for sale, and before completing sales when an offer is received.
- Give tenant organizations, the City, the Commonwealth, and affordable housing developers 45 days to make a purchase offer before a property can be publicly marketed for sale, and also 60 days to match any market-rate offer that is received.
- Enables the City to maintain a directory of affordable housing properties and track affordability expiration dates.
- Allows the City to file a lis pendens against the property, and enforcement through civil actions.

We are providing this information so that you are aware of these recently-enacted Ordinances.

Additional details, such as the location of and access to the proposed database, are unclear at this time.

Additional Commitment or searching requirements, if any, may be communicated in future Bulletins.

If you currently have any sales involving Philadelphia affordable housing properties, please notify Underwriting before proceeding further.

As always, continue to be on the lookout for any other rights of first refusal ("ROFR"), covenants, lis pendens, notices of violations, or any similar matters in the public records.

NOTE: This Bulletin should not be interpreted as reflecting negatively upon the character of an individual or entity mentioned herein and is for the sole purpose of establishing underwriting positions and policies reflecting WFG National Title Insurance Company's best business judgment. The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.