



**PHILADELPHIA MUNICIPAL COURT  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**

1339 Chestnut Street, 10th Floor, Philadelphia, PA 19107  
Marsha H. Neifield, President Judge Patricia R. McDermott, Deputy Court Administrator

**LANDLORD AND TENANT COMPLAINT**

Date Filed: 07/03/2014

# LT-14-07-03-3463

<p>Good Fortunes LLC 1051 Conestoga Road Bryn Mawr, PA 19090</p> <p align="right"><i>Plaintiff(s)</i></p>	<p>Matthew Swartz 1111-1113 Walnut Street Units 1-2 Philadelphia, PA 19107</p> <p>Colleen Swartz 1111-1113 Walnut Street Units 1-2 Philadelphia, PA 19107</p> <p align="right"><i>Defendant(s)</i></p>
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- I. Plaintiff states that he/she/it owns the real property located at the following address: [1111-1113 Walnut Street, Units 1-2, Philadelphia, PA 19107](#). Plaintiff further states that there is a lease between him/her/it and the above-referenced defendant(s). The lease is [written, attached](#) and began on [12/31/2010](#) for the term of [a year or more](#). Additionally, plaintiff states that the lease is [non-residential](#).
- II. Plaintiff states that he/she/it is [not required](#) to have a housing inspection license because he/she/it is not operating a multiple-family dwelling, rooming house, dormitory or hotel, or offering for rent a one-family dwelling, two family dwelling or a rooming unit.
- III. Plaintiff states that he/she/it is [in compliance](#) with Section 102.8 of the Philadelphia Property Maintenance Code by having a business privilege license at the time of filing. [A copy of the license is attached](#).
- IV. Plaintiff states that the subject premises is [fit](#) for its intended purpose.  
  
Plaintiff states that he/she/it is [aware](#) of one or more open notices issued by the Department alleging that the property at issue is in violation of any provision of the Philadelphia Code. The plaintiff has provided the following explanation of their failure to repair the violations alleged by the Department:  
[Two violations was issued to the Tenant by the City of Philadelphia Code Violation Enforcement Division on June 11, 2014 for failure to separate trash from recyclables and overflowing dumpster, respectively.](#)
- V. Plaintiff states that notice to vacate the subject premises by [06/30/2014](#) was given to the defendant on [06/18/2014](#). A copy of the notice is attached.
- VI. The defendant is [in possession of the property and refuses to surrender possession of the property](#).
- VII. Plaintiff demands [a judgment of possession](#) and a [money judgment](#) in the amount itemized below based on Non Payment of amounts due under the lease.

<b>Filing Party:</b> LAUREN ZABEL THREE LOGAN SQUARE, 1717 ARCH STREET; SUITE 3100, PHILADELPHIA, PA 19103		<b>Phone Number:</b> 215-241-7964
I am an attorney for the plaintiff(s), the plaintiff's authorized representative or have a power of attorney for the plaintiff(s) in this landlord tenant action. I hereby verify that I am authorized to make this verification; that I have sufficient knowledge, information and belief to take this verification or have gained sufficient knowledge, information and belief from communications with the plaintiff or the persons listed below and that the facts set forth are true and correct to the best of my knowledge, information and belief. I understand that this verification is made subject to the penalties set forth in 18 Pa. C.S. § 4904, which concerns the making of unsworn falsifications to authorities. If I am an authorized representative or have a power of attorney, I have attached a completed Philadelphia Municipal Court authorized representative form or a completed power of attorney form.  LAUREN ZABEL  _____ Signature Plaintiff/Attorney	<b>SUMMONS TO THE DEFENDANT:</b> You are hereby ordered to appear at a hearing scheduled as follows:	<b>CITATION:</b> Al demandado por la presente, usted esta dirigido a presentarse a la siguiente:
	<b>LOCATION (SITO):</b> 1339 Chestnut Street 6th Floor Philadelphia, PA 19107 Hearing Room: 3	<b>DATE (FECHA):</b> July 29th, 2014  <b>TIME (HORA):</b> 12:45 PM
<b>NOTICE TO THE DEFENDANT: YOU HAVE BEEN SUED IN COURT. PLEASE SEE ATTACHED NOTICE.</b>		<b>NOTA IMPORTANTE PARA EL ACUSADO: USTED HA SIDO DEMANDO EN CORTE: POR FAVOR MIRA PAPELE ESCRITA.</b>



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Complaint Continuation

The amount of unpaid rent below and late fees alleged due.				Summarized alleged amounts due:	
Month	Year	Rent	Late Fee		
May 2014	(returned checks)	\$33,652.84	\$530.45	Rent	\$45,216.92
June 2014		\$10,927.54	\$546.36	Late Fees	\$1,076.81
April-May 2014	(rent shortage)	\$636.54		Gas	\$7,294.19
				Electric	\$1,291.72
				Water / Sewer	\$1,142.58
				Attorney's Fees	\$12,000.00
				Other	\$999,999.99
				June Condo Fee (\$686.88)	
				NSF Check Fees (\$60)	
				City Code Violations (\$200)	
				June U&O Unit 1 (\$619)	
				June U&O Unit 2 (\$544)	
				City Refuse Collection Fee Unit 1 (\$318)	
				City Refuse Collection Fee Unit 2 (\$318)	
				Delinquent Tax Bill - 5/27/14 (\$149.81)	
				Rent Jul 2014-Mar 2015 (\$114,994.35)	
				Rent Apr 2015-Mar 2016 (\$180,879.45)	
				Rent Apr 2016-Mar. 2017 (\$184,931.25)	
				Rent Apr. 2017-Mar 2018 (\$189,104.61)	
				Rent Apr. 2018-Mar 2019 (\$193,403.25)	
				Rent Apr. 2019-Mar. 2020 (\$197,950.77)	
				Rent Apr. 2020-Mar. 2021 (\$202,391.13)	
				<b>Subtotal</b>	\$1,068,022.21
				Court Costs	\$127.00
				<b>Total</b>	\$1,068,149.21

ONGOING RENT IN THE AMOUNT OF \$0.00 FROM THE DATE OF THE FILING OF THIS COMPLAINT TO THE DATE OF THE HEARING ON THE MERITS IN THIS MATTER.