

PHILADELPHIA DEPARTMENT OF RECORDS
REGULATION REGARDING CHAPTER 9-5600 OF THE PHILADELPHIA CODE:
TANGLED TITLE DISCLOSURE

Section 1. Summary.

On December 2, 2021, Bill 210671-A, adding new disclosure requirements regarding tangled titles, became law in Philadelphia. Under these requirements, funeral service providers must provide information to certain survivors of the deceased about the steps required to avoid a “tangled title.” A tangled title occurs when someone lives in a house, thinking that the property is legally theirs, but is unable to prove ownership because that person’s name does not appear on the deed. Once the Department of Records makes an information sheet publicly available detailing the steps necessary to avoid a tangled title, funeral services providers must ensure that survivors of the deceased receive the information sheet and a standard certified death certificate, as required by law.

Section 2. Definitions.

Unless otherwise provided herein, capitalized terms shall have the meanings set forth in Section 9-5801 of the Philadelphia Code, as amended.

“Department.” Department of Records.

“Information Sheet.” The Tangled Title Information Sheet as provided in Section 9-5801(2) of The Philadelphia Code.

“Tangled Title Disclosures” or “Disclosures.” The Information Sheet and a certified Death Certificate concerning the individual for whom the Survivor of the Deceased procured Funeral Services.

“Survivor of the Deceased.” Any person who has entered an agreement with the Funeral Service Provider to provide the Funeral Service for the deceased or has provided the Funeral Service Provider information for purposes of preparing the Death Certificate. For purposes of this regulation, a Survivor of the Deceased may be a close relation of the deceased, such as a spouse, a parent, a child or other relative, a companion of the deceased, such as a long-term partner, or any other person legally authorized to act on behalf of the deceased, such as an executor or power of attorney.

Section 3. Disclosure and Records Retention.

- a. A Funeral Service Provider shall provide each Survivor of the Deceased with the Tangled Title Disclosures as set forth in this Section.
 1. Information Sheet. A Funeral Service Provider shall obtain the Information Sheet from the Department website and provide the document within five (5) working days of final disposition of the deceased.
 2. Certified Death Certificate. A Funeral Service Provider shall provide a certified Death Certificate within five (5) working days of receipt of the document from the Pennsylvania Department of Health.
- b. A Funeral Service Provider may provide any portion of the Tangled Title Disclosures by hard copy or electronic record, provided each portion of the Disclosures is documented as set forth in this Section. A Funeral Service Provider shall retain a record of its Disclosures for at least one year after final disposition of the deceased.
 1. Disclosure by Hard Copy. For any portion of the Disclosures provided in hard copy, the Funeral Service Provider shall indicate compliance with Chapter 9-5800 of The Philadelphia Code and this regulation by using a separate acknowledgement form for each document provided to the Survivor of the Deceased. Each acknowledgement form shall be signed and dated by both the Funeral Service Provider and the Survivor of the Deceased and indicate the name of the document provided and whether the document was delivered in person or will be delivered by mail. The Funeral Service Provider shall provide the Survivor of the Deceased a copy of each jointly signed acknowledgement form and retain a copy as provided in Section 3(b).
 2. Disclosure by Electronic Communication. For any portion of the Disclosures provided via email or other electronic means, the Funeral Service Provider shall retain a copy of such electronic communication as provided in Section 3(b).

Section 4. Enforcement.

- a. Complaints. If a Funeral Service Provider fails to comply with this regulation, the Survivor of the Deceased or their representative may file a complaint with the Department. Complaints shall be submitted via email to records.info@phila.gov. The complaint shall include: the name and contact information of the individual filing the complaint; the name and contact information of the Survivor of the Deceased (if different

from the complainant); the name and contact information of the Funeral Service Provider; and a short description of the reason for the complaint.

- b. Administration of Complaints. Upon receipt of a complaint, the Department will inform the Funeral Service Provider of the alleged violation and the requirements for compliance with Chapter 9-5800 of The Philadelphia Code and this regulation.
- c. Fines. Repeated failure to provide the Tangled Title Disclosures after notice of noncompliance by the Department shall be grounds for the Records Commissioner to commence action in order to have fines imposed. Fines shall not exceed \$300 per violation.

Section 5. Effective Date.

These regulations shall take immediate effect.