

# **Bond Case Briefs**

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## **UTILITIES - PENNSYLVANIA**

### **Augustin v. City of Philadelphia**

**United States District Court, E.D. Pennsylvania - March 18, 2016 - F.Supp.3d - 2016 WL 1073223**

Landlords filed § 1983 action alleging that city-owned gas utility's method for imposing liens on their properties for unpaid utility bills incurred by their tenants violated their procedural due process rights.

Plaintiffs moved for partial summary judgment.

The District Court held that utility's procedure for imposing liens violated landlords' due process rights.

City-owned gas utility's procedure for imposing liens on non-customer landlords' properties for unpaid utility bills incurred by their tenants violated landlords' procedural due process rights, despite existence of post-deprivation remedies, absent showing that it would be impracticable or impossible to notify landlords of tenants' delinquencies within such time as would allow landlords to investigate and take steps to hold tenants accountable before their account arrearages reached level triggering imposition of liens.