

MOTION FOR ALLOWANCE TO POST REAL PROPERTY SECURITY

PREPARING AND FILING THE MOTION

1. To post real property as security for bail, you **MUST** file a ***Motion for Allowance To Post Real Property Security***. Once it is accepted a hearing on the Motion will be scheduled with a Criminal Division Motions Judge. The ***Motion for Allowance To Post Real Property Security*** (“*Motion*”) is available on the website of the First Judicial District of Pennsylvania at <https://www.courts.phila.gov/forms/>; the Motions Counter, Second Floor, Justice Juanita Kidd Stout Center for Criminal Justice, 1301 Filbert Street, Philadelphia, PA 19107; and from the Clerk of Courts, Room 310, Justice Juanita Kidd Stout Center for Criminal Justice, 1301 Filbert Street, Philadelphia, PA. 19107.

2. It is the responsibility of the person seeking to post real property as bail to prepare and file the *Motion*. ***This is the only way to post real property as security for bail.***

3. A completed *Motion* must include information on each Property. **The following must also be attached to the Motion:**

IDENTIFICATION: Photocopies of picture identification for all owners who appear on the Deed, or two (2) forms of non-picture identification. (Examples: Social Security card, voter registration, or birth certificate.

DEED(s): A copy of the deed for each property. A copy of the deed/s may be obtained from the Philadelphia Department of Records, City Hall, Room 154, Philadelphia, PA 19107. Copies of deeds are \$2.00 per page.

MORTGAGES: A search for each property from the Philadelphia Department of Records, City Hall, Room 154, Philadelphia, PA 19107. This document will list all open institutional liens from any bank placed on the property. Copies of are \$2.00 per page.

*If you have any mortgages or home improvement loans you **MUST** obtain an official written balance from the mortgage company(s) on their letterhead with the date for each property. The letter much be attached to the Motion.*

Record Owner Lien Search: A search for each property from a Title Company and corresponding report. Title Insurance is not required. Find a company to help you at <https://www.homeclosing101.org/finding-a-company-to-help-you/>.

Assessment: A copy of the Philadelphia Office of Property Assessment’s webpage for the property. The webpage can be found at <https://property.phila.gov/>.

Affidavit:

A completed copy of Affidavit of Surety (Real Estate Bail)

4. *Special Notes:*

- *The property/ies should not be for sale*
- *The properties should not be under a “Land Contract/Land Lease” contract.*
- *If an owner on the Deed was married PRIOR to the purchase, the spouse’s signature may also be required. If the owners are legally divorced, PROOF OF DIVORCE must be attached to the Motion.*
- *If an owner listed on the deed is deceased, A COPY OF DEATH CERTIFICATE must be attached to the Motion.*

5. The ***Motion for Allowance To Post Real Property Security*** must be electronically filed through the *Criminal Electronic Filing System* at www.courts.phila.gov (option under the “Online Services” tab). The *Motion* may also be filed with the Clerk of Courts, Room 310, Justice Juanita Kidd Stout Center for Criminal Justice, 1301 Filbert Street, Philadelphia, PA 19107. ***No filing fee will be charged to file the Motion.***

6. The *Motion* shall be assigned to a Motions Court Judge for a hearing. If the Motion is approved, the Office of Judicial Records will submit a certified copy of the order to the Philadelphia Department of Records, for posting of property for bail and all liens to be filed.