

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1715 Session of
2013

INTRODUCED BY PETRI, DeLUCA, EVERETT, FARRY, FLYNN, GINGRICH,
JAMES, MILLARD, QUINN, ROCK, SWANGER AND TOOIL,
SEPTEMBER 26, 2013

REFERRED TO COMMITTEE ON URBAN AFFAIRS, SEPTEMBER 26, 2013

AN ACT

1 Amending the act of April 6, 1951 (P.L.69, No.20), entitled "An
2 act relating to the rights, obligations and liabilities of
3 landlord and tenant and of parties dealing with them and
4 amending, revising, changing and consolidating the law
5 relating thereto," further providing for the disposition of
6 abandoned personal property.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 505.1(a) of the act of April 6, 1951
10 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951,
11 added July 5, 2012 (P.L.1091, No.129), is amended to read:

12 Section 505.1. Disposition of Abandoned Personal Property.--

13 (a) At the time a tenant has relinquished possession of the
14 real property, the tenant shall remove from the premises all
15 items of the tenant's personal property. For the purposes of
16 this section, a tenant shall be deemed to have relinquished
17 possession of the premises upon any of the following:

18 (1) Execution of an order of possession in favor of the
19 landlord.

1 (2) If the tenant has physically vacated the premises,
2 removal of substantially all personal property and the providing
3 of a forwarding address or written notice stating that the
4 tenant has vacated the premises.

5 (3) The tenant physically vacated the premises without
6 notice or providing a forwarding address, and the landlord
7 posted notice on the premises and mailed notice to the tenant
8 advising the tenant of the tenant's rights under subsection (b).

9 (4) The tenant is deceased, the rent is at least 15 days
10 past due and a death certificate was issued at least 14 days
11 before the landlord provides the notice specified in this
12 section, provided that:

13 (i) If the personal representative of the deceased tenant
14 has contacted the landlord, the landlord shall proceed with the
15 requirements of this section, and the personal representative
16 shall stand in place of the tenant. The personal representative
17 shall have all rights, obligations and remedies of the tenant
18 under this section.

19 (ii) If the landlord has not been contacted by a personal
20 representative of the deceased tenant and the landlord has no
21 knowledge or reason to know who the personal representative is,
22 the landlord shall provide the notice required under subsection
23 (c) (2) to the deceased tenant at the address of the premises and
24 to any emergency contact or other person known to the landlord
25 and shall make reasonable attempts to find and notify a personal
26 representative.

27 (iii) For purposes of this section, a personal
28 representative shall mean an executor, an administrator, a
29 family member, an heir or a devisee of the deceased tenant.

30 * * *

1 Section 2. This act shall take effect in 60 days.