

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 71** Session of
2019

INTRODUCED BY ROTHMAN, BERNSTINE, IRVIN, KEEFER, F. KELLER,
MACKENZIE, RYAN, ZIMMERMAN AND JONES, JANUARY 28, 2019

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JANUARY 28, 2019

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," in recovery of possession, further
6 providing for hearing, judgment, writ of possession and
7 payment of rent by tenant.

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

10 Section 1. Section 503 of the act of April 6, 1951 (P.L.69,
11 No.20), known as The Landlord and Tenant Act of 1951, is amended
12 to read:

13 Section 503. Hearing; Judgment; Writ of Possession; Payment
14 of Rent by Tenant.--(a) On the day and at the time appointed or
15 on a day to which the case may be adjourned, the [justice of the
16 peace] magisterial district judge shall proceed to hear the
17 case. If it appears that the complaint has been sufficiently
18 proven, the [justice of the peace] magisterial district judge
19 shall enter judgment against the tenant:

20 (1) that the real property be delivered [up] to the

1 landlord;

2 (2) for damages, if any, for the unjust detention of the
3 demised premises; and

4 (3) for the amount of rent, if any, which remains due and
5 unpaid.

6 (b) [At the request of the landlord, the justice of the
7 peace shall, after the fifth day after the rendition of the
8 judgment,] The landlord may request the issuance of an order for
9 possession immediately after the rendition of the judgment. The
10 magisterial district judge shall immediately thereafter issue [a
11 writ of] an order for possession directed to the writ server,
12 constable or sheriff commanding him to deliver forthwith actual
13 possession of the real property to the landlord and to levy the
14 costs and amount of judgment for damages and rent, if any, on
15 the tenant, in the same manner as judgments and costs are levied
16 and collected on [writs of execution] orders for possession.
17 This writ is to be served [within] no later than forty-eight
18 hours after the request was filed by the landlord and executed
19 on the [eleventh] twelfth day following service upon the tenant
20 of the leased premises. Service of the [writ of] order for
21 possession shall be served personally on the tenant by personal
22 service or by posting the writ conspicuously on the leased
23 premises.

24 (c) At any time before [any writ of possession is actually
25 executed,] delivery of actual possession following the rendition
26 of the judgment, the tenant may, in any case for the recovery of
27 possession solely because of failure to pay rent due, supersede
28 and render the writ of no effect by paying to the writ server,
29 constable or sheriff the rent actually in arrears and the costs.

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