

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2283 Session of
1984

INTRODUCED BY PICCOLA, JUNE 13, 1984

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 13, 1984

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, further providing for the
3 powers of a personal representative when the decedent was a
4 tenant under lease.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 3352 of Title 20 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 3352. Power to lease.

10 (a) General rule.--Except as otherwise provided by the will,
11 if any, the personal representative may lease any real or
12 personal property which he is entitled to possess. The lease may
13 be for a term expiring not more than one year after the
14 decedent's death unless it is terminable by the personal
15 representative at any later time on 30 days' notice, or unless a
16 longer term is approved by the court.

17 (b) Decedent as tenant under lease.--

18 (1) If the decedent was a tenant under a lease for a

1 term of one or more years, the personal representative may
2 sublease or sublet the premises for the remainder of the term
3 of the lease, notwithstanding any provision of the lease or
4 of the law to the contrary.

5 (2) If the landlord re-leases the premises prior to the
6 expiration of the decedent's lease, the personal
7 representative may petition the court to compel the landlord
8 to set-off any account which the estate may have against the
9 landlord.

10 Section 2. The provisions of 20 Pa.C.S. § 3352(b)(1) shall
11 be applicable only to leases executed after the effective date
12 of this act.

13 Section 3. This act shall take effect immediately.