

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2480 Session of
2002

INTRODUCED BY FLICK, KELLER, MICOZZIE, HENNESSEY, BUNT,
CAPPELLI, DeWEESE, D. EVANS, GEORGE, HALUSKA, HARHAI, JAMES,
McGEEHAN, S. MILLER, RUBLEY, SAINATO, SAYLOR, SHANER,
SOLOBAY, STABACK, STEELMAN, R. STEVENSON, TANGRETTI,
E. Z. TAYLOR, TIGUE, WILT, WOJNAROSKI, G. WRIGHT AND
ZIMMERMAN, MARCH 27, 2002

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 27, 2002

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," providing for termination of residential
6 leases for terminal or mental illness or death.

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

9 Section 1. Section 102 of the act of April 6, 1951 (P.L.69,
10 No.20), known as The Landlord and Tenant Act of 1951, is amended
11 by adding a definition to read:

12 Section 102. Definitions.--As used in this act--

13 * * *

14 "Certified illness" means a terminal or mental illness
15 certified as such by a physician.

16 * * *

17 Section 2. The act is amended by adding a section to read:

18 Section 106. Residential Leases where Tenant Dies or is

1 Ill.--(a) If a tenant under a residential lease has a certified
2 illness, the landlord shall not prevent access to the tenant's
3 premises by a person designated in writing by the tenant or the
4 tenant's physician.

5 (b) Notwithstanding any provision to the contrary in a
6 residential lease, a residential lease may be terminated upon
7 sixty days' prior written notice if a tenant:

8 (1) dies; or

9 (2) has a certified illness and a certification of that fact
10 from the tenant's physician is included with the notice.

11 (c) Subsection (b) shall not be applicable if the tenant
12 knew or had reason to know of the certified illness at the time
13 the tenant entered into the lease.

14 (d) This section shall apply to residential leases entered
15 into or renewed on or after the effective date of this section.

16 Section 3. All acts and parts of acts are repealed insofar
17 as they are inconsistent with this act.

18 Section 4. This act shall take effect in 60 days.