
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 918 Session of
2015

INTRODUCED BY BROWNE, GREENLEAF, TEPLITZ, SCAVELLO, WILLIAMS,
FONTANA, ARGALL, ALLOWAY, TARTAGLIONE, BREWSTER, YUDICHAK,
STEFANO, VULAKOVICH, WHITE, YAW, COSTA, WARD, DINNIMAN AND
MENSCH, JUNE 24, 2015

REFERRED TO FINANCE, JUNE 24, 2015

AN ACT

1 Providing for the tax sale of abandoned properties.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Abandoned
6 Property Tax Sale Act.

7 Section 2. Findings and declarations.

8 The General Assembly finds and declares as follows:

9 (1) Pennsylvania's older communities are vital to the
10 Commonwealth's economic health by providing a focal point for
11 businesses and services, and to the Commonwealth's quality of
12 life with their rich histories and diversity. However, many
13 older communities suffer from blighted properties that have
14 been abandoned by their owners.

15 (2) The citizens of this Commonwealth are adversely
16 affected by abandoned, blighted and tax-delinquent

1 residential, commercial and industrial properties, including
2 those citizens who live or work in proximity to substandard
3 buildings, as well as those who own property in the vicinity
4 of the buildings.

5 (3) Abandoned, blighted and tax-delinquent residential,
6 commercial and industrial structures pose a safety threat and
7 public nuisance, and their blighting effect diminishes the
8 value of nearby property.

9 (4) If these buildings are not demolished or
10 rehabilitated and brought into code compliance, they are
11 likely to remain abandoned and further deteriorate, resulting
12 in increased cost to the Commonwealth, municipality and
13 taxpayers to secure and ultimately demolish these buildings.

14 (5) Properties sold at tax sale sometimes remain
15 blighted and become tax delinquent again.

16 (6) Providing a mechanism to remove or transform
17 abandoned, blighted and tax-delinquent buildings into
18 productive reuse is an opportunity for communities to
19 modernize, revitalize and grow, and to improve both the local
20 economy and the quality of life for neighbors.

21 (7) The General Assembly declares that it is in the best
22 interests of the Commonwealth, municipalities and communities
23 to establish a process, as set forth under this act, for
24 declaring properties abandoned and ensuring that the
25 properties, when purchased at tax sale, will be demolished or
26 rehabilitated and returned to productive use.

27 Section 3. Definitions.

28 The following words and phrases when used in this act shall
29 have the meanings given to them in this section unless the
30 context clearly indicates otherwise:

1 "Abandoned property."

2 (1) A property on which there is a building that has not
3 been legally occupied for at least the previous 12 months and
4 the municipality finds at least one of the following:

5 (i) The building is a public nuisance.

6 (ii) The building is in need of substantial
7 rehabilitation and no rehabilitation has taken place
8 during the previous 12 months.

9 (iii) The building is unfit for human habitation,
10 occupancy or use.

11 (iv) The condition and vacancy of the building
12 materially increases the risk of fire to the building and
13 to adjacent properties.

14 (v) The building is subject to unauthorized entry
15 leading to potential health and safety hazards, and the
16 owner has failed to take reasonable and necessary
17 measures to secure the building or the municipality has
18 secured the building in order to prevent the hazards
19 after the owner has failed to do so.

20 (vi) The property is an attractive nuisance to
21 children, including the presence of abandoned wells,
22 shafts, basements, excavation and unsafe structures.

23 (vii) The presence of vermin or the accumulation of
24 debris, uncut vegetation or physical deterioration of the
25 structure or grounds has created potential health and
26 safety hazards, and the owner has failed to take
27 reasonable and necessary measures to remove the hazards.

28 (viii) The dilapidated appearance or other condition
29 of the building negatively affects the economic well-
30 being of residents and businesses in close proximity to

1 the building, including decreases in property value and
2 loss of business, and the owner has failed to take
3 reasonable and necessary measures to remedy the
4 conditions.

5 (ix) The property is an attractive nuisance for
6 illicit purposes, including prostitution, drug use and
7 vagrancy.

8 (2) The term includes structures if the structures are
9 the only improvements on the property.

10 (3) The term does not include auxiliary structures which
11 are incidental to the main building on the property.

12 "Municipality." A city of the first, second, second class A
13 or third class, an incorporated town, a township of the first or
14 second class and a borough.

15 "Public nuisance." A property which, because of physical
16 condition or use, is regarded as a public nuisance at common law
17 or has been declared a public nuisance in accordance with the
18 local housing, building, health, fire or related codes.

19 Section 4. Publication of notice and review by municipality.

20 (a) List.--At least 60 days prior to the date scheduled for
21 a tax sale, the county shall make public a list of properties to
22 be offered at the sale. The county shall provide a copy of the
23 list to the mayor, or comparable municipal official, of any
24 municipality in which a property scheduled for sale is located.

25 (b) Notification.--Within 30 days of receipt of the list
26 under subsection (a), the municipality may notify the county of
27 any abandoned properties within its jurisdiction.

28 (c) Sale.--No less than 15 days prior to the scheduled tax
29 sale, the county shall make public a revised list of properties
30 to be offered for sale indicating which are abandoned.

1 Section 5. Requirements for purchaser of abandoned properties.

2 In addition to any other requirements of the act of May 16,
3 1923 (P.L.207, No.153), referred to as the Municipal Claim and
4 Tax Lien Law, the act of July 7, 1947 (P.L.1368, No.542), known
5 as the Real Estate Tax Sale Law, or the act of October 11, 1984
6 (P.L.876, No.171), known as the Second Class City Treasurer's
7 Sale and Collection Act, the purchaser of an abandoned property
8 shall do all of the following:

9 (1) Within 30 days of the sale and prior to the transfer
10 of title, enter into a redevelopment agreement with the
11 municipality in which the property is located or, at the
12 option of the municipality, with the redevelopment authority
13 obligating the purchaser to redevelop the property in
14 accordance with all municipal codes and any officially
15 adopted plans for the geographic area in which the property
16 is located. If the municipality or the redevelopment
17 authority determines that demolition of the building is
18 appropriate, the purchaser may demolish instead of
19 redeveloping the property. The redevelopment plan shall
20 include all of the following at a minimum:

21 (i) A specified time by which the redevelopment or
22 demolition must be completed.

23 (ii) A description of the redevelopment work or
24 demolition to be completed.

25 (iii) Remedies for noncompliance, including the
26 right of the municipality or redevelopment authority to
27 acquire title to the property if the redevelopment or
28 demolition is not completed by the agreed-upon date.

29 (2) Within 30 days of the sale and prior to the transfer
30 of title, post a bond to ensure compliance with the

1 redevelopment agreement, naming the municipality or
2 redevelopment authority as the beneficiary.
3 Section 6. Effective date.
4 This act shall take effect in 90 days.