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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 290 Session of  
2021

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INTRODUCED BY HUGHES, SAVAL, L. WILLIAMS, FONTANA, KEARNEY,  
TARTAGLIONE, KANE, COMMITTA, HAYWOOD AND MUTH, MARCH 2, 2021

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REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 2, 2021

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in COVID-19 disaster emergency,  
3 providing for housing protections.

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

6 Section 1. Chapter 57 of Title 35 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER F

9 HOUSING PROTECTIONS

10 Sec.

11 5751. Definitions.

12 5752. Real property and tenancy-related actions related to  
13 COVID-19.

14 § 5751. Definitions.

15 The following words and phrases when used in this subchapter  
16 shall have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 "Foreclosure." Includes:

1           (1) An action of mortgage foreclosure under 231  
2 Pa.R.C.P. Subch. I (relating to action of mortgage  
3 foreclosure).

4           (2) An action in ejectment under 231 Pa.R.C.P. Subch. C  
5 (relating to action in ejectment).

6           (3) An action to sell property to recover delinquent  
7 real estate taxes under:

8                   (i) the act of May 16, 1923 (P.L.207, No.153),  
9 referred to as the Municipal Claim and Tax Lien Law; and

10                   (ii) the act of July 7, 1947 (P.L.1368, No.542),  
11 known as the Real Estate Tax Sale Law.

12           (4) An action under the act of November 24, 1976  
13 (P.L.1176, No.261), known as the Manufactured Home Community  
14 Rights Act.

15 § 5752. Real property and tenancy-related actions related to  
16 COVID-19.

17 Notwithstanding any provision of law to the contrary, the  
18 following shall apply relating to the COVID-19 disaster  
19 emergency:

20           (1) No court in this Commonwealth may accept any filing  
21 or pleading instituting a new action arising under the act of  
22 April 6, 1951 (P.L.69, No.20), known as The Landlord and  
23 Tenant Act of 1951, for nonpayment of rent as a result of  
24 COVID-19 until 60 days after the expiration of the COVID-19  
25 disaster emergency. A landlord may not charge fees or  
26 penalties under The Landlord and Tenant Act of 1951 for  
27 nonpayment of rent as a result of the COVID-19 disaster  
28 emergency. No fees or penalties that result from delayed or  
29 nonpayment of rent during the COVID-19 disaster emergency may  
30 be assessed.

1           (2) If an action arising under The Landlord and Tenant  
2 Act of 1951 was filed or a judgment by agreement has been  
3 executed within 30 days prior to the declaration of the  
4 COVID-19 disaster emergency, a landlord may not proceed with  
5 the action until 60 days after the expiration of the COVID-19  
6 disaster emergency. It shall not be a breach of a covered  
7 judgment by agreement if the tenant complies with all  
8 applicable conditions of the agreement within 60 days after  
9 the expiration of the COVID-19 disaster emergency. No writ  
10 may be executed until 60 days after the expiration of the  
11 COVID-19 disaster emergency. A landlord, during the COVID-19  
12 disaster emergency under this paragraph, otherwise eligible  
13 to charge fees or penalties under The Landlord and Tenant Act  
14 of 1951, may not charge fees or penalties during the time of  
15 the COVID-19 disaster emergency or delay under this  
16 paragraph. No fees or penalties that result from delayed or  
17 nonpayment of rent during the COVID-19 disaster emergency may  
18 be assessed.

19           (3) No court may accept a new action relating to the  
20 foreclosure on a residential property until 60 days after the  
21 expiration of the COVID-19 disaster emergency. During a  
22 period of the COVID-19 disaster emergency, a plaintiff or a  
23 petitioner, otherwise eligible to charge fees or penalties,  
24 may not charge fees or penalties during the time of the  
25 COVID-19 disaster emergency or delay under this paragraph. No  
26 fees or penalties that result from delayed or missed payments  
27 during the COVID-19 disaster emergency may be assessed.

28           (4) If an action relating to the foreclosure of a  
29 residential property was commenced prior to the issuance of  
30 declaration of the COVID-19 disaster emergency, a plaintiff

1 or a petitioner may not proceed with an action until 60 days  
2 after the expiration of the COVID-19 disaster emergency.  
3 During a period of the COVID-19 disaster emergency under this  
4 paragraph, a plaintiff or a petitioner, otherwise eligible to  
5 charge fees or penalties, may not charge fees or penalties  
6 during the time of the COVID-19 disaster emergency or delay  
7 under this paragraph. No fees or penalties that result from  
8 delayed or missed payments during the COVID-19 disaster  
9 emergency may be assessed.

10 Section 2. This act shall take effect immediately.