

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2681 Session of 2010

INTRODUCED BY WATSON, BOYD, MURT, HARPER, GEIST, CALTAGIRONE,
CLYMER, DENLINGER, FAIRCHILD, GINGRICH, GOODMAN, GROVE, HELM,
M. KELLER, O'NEILL, PYLE, READSHAW, SCAVELLO, SIPTROTH,
SWANGER AND YOUNGBLOOD, AUGUST 30, 2010

REFERRED TO COMMITTEE ON FINANCE, AUGUST 30, 2010

AN ACT

1 Amending the act of July 7, 1947 (P.L.1368, No.542), entitled,
2 as amended, "An act amending, revising and consolidating the
3 laws relating to delinquent county, city, except of the first
4 and second class and second class A, borough, town, township,
5 school district, except of the first class and school
6 districts within cities of the second class A, and
7 institution district taxes, providing when, how and upon what
8 property, and to what extent liens shall be allowed for such
9 taxes, the return and entering of claims therefor; the
10 collection and adjudication of such claims, sales of real
11 property, including seated and unseated lands, subject to the
12 lien of such tax claims; the disposition of the proceeds
13 thereof, including State taxes and municipal claims recovered
14 and the redemption of property; providing for the discharge
15 and divestiture by certain tax sales of all estates in
16 property and of mortgages and liens on such property, and the
17 proceedings therefor; creating a Tax Claim Bureau in each
18 county, except counties of the first and second class, to act
19 as agent for taxing districts; defining its powers and
20 duties, including sales of property, the management of
21 property taken in sequestration, and the management, sale and
22 disposition of property heretofore sold to the county
23 commissioners, taxing districts and trustees at tax sales;
24 providing a method for the service of process and notices;
25 imposing duties on taxing districts and their officers and on
26 tax collectors, and certain expenses on counties and for
27 their reimbursement by taxing districts; and repealing
28 existing laws," further providing for notice of filing of
29 returns and entry of claim.

30 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. Section 308 of the act of July 7, 1947 (P.L.1368,
3 No.542), known as the Real Estate Tax Sale Law, is amended by
4 adding a subsection to read:

5 Section 308. Notice of Filing of Returns and Entry of
6 Claim.--* * *

7 (b.1) In addition to the warning provision required pursuant
8 to subsection (b), the notice given in the manner provided by
9 this section shall contain the following provision which shall
10 be conspicuously placed upon said notice and set in at least 10-
11 point type in a box as:

12 WARNING

13 "YOUR MORTGAGE CONTRACT MAY CONTAIN TERMS ALLOWING YOUR
14 LENDER, AN ASSIGNEE, OR A LEGAL REPRESENTATIVE OF YOUR LENDER
15 ON THE MORTGAGE CONTRACT, TO PAY THE DELINQUENT REAL ESTATE
16 TAXES DUE ON YOUR PROPERTY AND THEN TO ADJUST (INCREASE) YOUR
17 MORTGAGE PAYMENTS TO RECOUP SUCH PAYMENTS DIRECTLY FROM YOU.
18 YOUR FAILURE TO MAKE SUCH INCREASED MORTGAGE PAYMENTS IN A
19 TIMELY FASHION MAY RESULT IN THE LENDER, AN ASSIGNEE, OR
20 LEGAL REPRESENTATIVE OF THE MORTGAGE CONTRACT IN PURSUING A
21 MORTGAGE FORECLOSURE ACTION AGAINST YOU. SUCH AN ACTION COULD
22 LEAD TO THE SALE OF YOUR PROPERTY MUCH SOONER THAN A SALE
23 CONDUCTED BY THE COUNTY TAX CLAIM BUREAU FOR NONPAYMENT OF
24 TAXES. IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT YOUR
25 ATTORNEY, YOUR MORTGAGE LENDER OR THE COUNTY LAWYER REFERRAL
26 SERVICE."

27 * * *

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