

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1713 Session of
2013

INTRODUCED BY PETRI, V. BROWN, DAVIS, EVANKOVICH AND SWANGER,
SEPTEMBER 26, 2013

REFERRED TO COMMITTEE ON URBAN AFFAIRS, SEPTEMBER 26, 2013

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," further providing for disposition of
6 abandoned personal property.

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

9 Section 1. Section 505.1(a) and (b) of the act of April 6,
10 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of
11 1951, added July 5, 2012 (P.L.1091, No.129), are amended and the
12 section is amended by adding subsections to read:

13 Section 505.1. Disposition of Abandoned Personal Property.--

14 (a) At the time a tenant has relinquished possession of the
15 real property, the tenant shall remove from the premises all
16 items of the tenant's personal property. For the purposes of
17 this section, a tenant shall be deemed to have relinquished
18 possession of the premises upon any of the following:

19 (1) Execution of an order of possession in favor of the
20 landlord.

1 (2) If the tenant has physically vacated the premises,
2 removal of substantially all personal property and the providing
3 of a forwarding address or written notice stating that the
4 tenant has vacated the premises.

5 (3) If the tenant has physically vacated, abandoned and
6 surrendered the premises without notice or providing a
7 forwarding address and the landlord has posted notice on the
8 premises and mailed notice to the tenant advising the tenant of
9 the tenant's rights under subsection (b.1). The notice under
10 this paragraph shall be:

11 (i) sent by regular mail to the formerly leased premises; or

12 (ii) by personal delivery to the tenant.

13 (b) Upon relinquishment of the premises under subsection
14 [(a)] (a) (1) or (2) and the acceptance of possession of the real
15 property by the landlord, the tenant shall have ten days to
16 contact the landlord regarding the tenant's intent to remove any
17 personal property remaining on the premises. If the intent is
18 conveyed to the landlord, the personal property shall be
19 retained by the landlord at a site of the landlord's choosing
20 for thirty days. If no communication is made to the landlord
21 within ten days, the property may be disposed of at the end of
22 the ten days at the discretion of the landlord.

23 (b.1) Upon relinquishment of the premises under subsection
24 (a) (3) and the acceptance of possession of the real property by
25 the landlord, the tenant shall have twenty-five days to contact
26 the landlord regarding the tenant's intent to remove any
27 personal property remaining on the premises. If the intent is
28 conveyed to the landlord, the personal property shall be
29 retained by the landlord at a site of the landlord's choosing
30 for twenty days. If no communication is made to the landlord

1 within twenty-five days, the property may be disposed of at the
2 end of the twenty-five days at the discretion of the landlord.

3 * * *

4 (g) If there is acceptance of the tenant's personal property
5 by the landlord in violation of this section, the landlord shall
6 be liable to the tenant for double the value of the personal
7 property taken and costs.

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