
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 900 Session of
2017

INTRODUCED BY DEAN, MURT, FREEMAN, DRISCOLL, DAVIS, V. BROWN,
SCHLOSSBERG, O'NEILL, McNEILL, FRANKEL, O'BRIEN, STURLA AND
DeLUCA, MARCH 16, 2017

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 16, 2017

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," in recovery of possession, providing for
6 early termination of leases by individuals with disabilities
7 and senior citizens.

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

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

13 Section 515. Early Termination of Leases by Individuals with
14 Disabilities and Senior Citizens.--(a) Notwithstanding any
15 other provision of this act or law, a tenant of a residential
16 unit may terminate the lease prior to the date provided in the
17 lease by providing the landlord of the residential unit with the
18 information specified in subsection (b) if the tenant:

19 (1) has a disability or is a senior citizen; and

20 (2) is either:

1 (i) awaiting admission and subsequently moves to a licensed
2 long-term care service provider; or

3 (ii) needs to move and subsequently moves to another
4 individual's residence for the express purpose of receiving care
5 from a home health care agency or an older adult daily living
6 center for a period of no less than six months.

7 (b) The following information must be submitted to a
8 landlord in order to terminate a lease under subsection (a):

9 (1) written notice delivered to the landlord in accordance
10 with the terms of the lease sixty days prior to the proposed
11 early termination date informing the landlord of the tenant's
12 required admission and move to a licensed long-term care service
13 provider or need to move to another individual's residence for
14 the express purpose of receiving care from a home health care
15 agency or an older adult daily living center for a period of no
16 less than six months;

17 (2) certified documentation signed by a licensed physician
18 indicating that the tenant, due to medical reasons, is unable to
19 continue to live independently in the residential unit and
20 requires admission to a licensed long-term care service provider
21 or needs to receive care from a home health care agency or an
22 older adult daily living center for a period of no less than six
23 months; and

24 (3) if applicable, a notarized statement from another
25 individual attesting to the fact that the tenant will be moving
26 into the individual's residence to receive care from a home
27 health care agency or an older adult daily living center for a
28 period of no less than six months.

29 (c) Nothing under this section may be construed to relieve a
30 tenant to which this section applies of liability for rent or

1 any other obligation incurred under a lease prior to the early
2 termination date authorized under this section.

3 (d) For the purposes of this section, the following words
4 shall have the meanings given to them in this subsection unless
5 the context otherwise indicates:

6 "Assisted living residence." An assisted living residence as
7 defined in section 1001 of the act of June 13, 1967 (P.L.31,
8 No.21), known as the Human Services Code.

9 "Continuing-care provider." A facility licensed by the
10 Insurance Department under the act of June 18, 1984 (P.L.391,
11 No.82), known as the Continuing-Care Provider Registration and
12 Disclosure Act.

13 "Disability." A physical or mental impairment that
14 substantially limits one or more major life activities.

15 "Home health care agency." Any of the following as defined
16 in section 802.1 of the act of July 19, 1979 (P.L.130, No.48),
17 known as the Health Care Facilities Act:

18 (1) A home health care agency.

19 (2) A long-term care nursing facility.

20 (3) A hospice.

21 (4) A home care agency.

22 (5) A home care registry.

23 "Licensed long-term care service provider." The term shall
24 include:

25 (1) An assisted living residence.

26 (2) A continuing-care provider.

27 (3) A LIFE program.

28 (4) A long-term care nursing facility.

29 (5) A personal care home.

30 "LIFE program." The program of medical and supportive

1 services known as Living Independently for Elders under 42 CFR
2 Pt. 460 (relating to Programs of All-inclusive Care for the
3 Elderly (PACE)).

4 "Long-term care nursing facility." As defined in section
5 802.1 of the act of July 19, 1979 (P.L.130, No.48), known as the
6 Health Care Facilities Act.

7 "Older adult daily living center." A facility licensed by
8 the Department of Aging to provide services under the act of
9 July 11, 1990 (P.L.499, No.118), known as the Older Adult Daily
10 Living Centers Licensing Act.

11 "Personal care home." As defined in section 1001 of the act
12 of June 13, 1967 (P.L.31, No.21), known as the Human Services
13 Code.

14 "Senior citizen." A person who is 60 years of age or older,
15 or will attain such age during the term of an agreement in which
16 the person is a tenant of a residential unit.

17 Section 2. The provisions of this act shall only apply to
18 leases entered into or extended on or after the effective date
19 of this section.

20 Section 3. This act shall take effect immediately.