INTRODUCED BY KILLION, ARGALL, SCAVELLO, YAW, FARNESE AND SCHWANK, JUNE 4, 2020

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, JUNE 4, 2020

AN ACT

Amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in COVID-19 disaster emergency, providing for COVID-19 Emergency Rental Assistance Program; and imposing duties on the Pennsylvania Housing Finance Agency.

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

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

SUBCHAPTER F

COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM

Sec.

5751. Definitions.

5752. Purpose.

5753. Program.

5754. Qualifications of eligible persons.

5755. Amount of funds to be dispersed.

5756. Disbursement of funds.

5757. Repayment of funds dispersed.
§ 5751. Definitions.

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


"COVID-19." The coronavirus disease 2019, an infectious disease caused by severe acute respiratory syndrome coronavirus 2 that was first identified during December 2019 in Wuhan, China.

"Program." The Emergency Rental Assistance Program established by this subchapter.

§ 5752. Purpose.

The purpose of this subchapter is to help this Commonwealth's residential tenants who experienced a financial setback attributable to COVID-19 and are unable to pay their rent because of their financial setback. The funds dispersed by the program shall be used solely for the purpose of providing emergency rental assistance to residential tenants of this Commonwealth.

§ 5753. Program.

(a) Establishment.--The Emergency Rental Assistance Program is established and shall be administered by the agency.

(b) Applications.--A tenant who is eligible under section 5754 (relating to qualifications of eligible persons) must apply on a form prescribed by the agency for assistance under the program.

(c) Documentation.--The tenant must provide the necessary information and documentation to the agency with the application before funds are dispersed.

(d) Verification.--The agency shall verify with landlords of
tenants who apply for the program the amount of rent owed or past due.

(e) Funding.--The agency shall identify amounts of Federal Government assistance provided to this Commonwealth with regard to the COVID-19 pandemic which may be available for the purposes of this program and allocate those amounts to the program.

§ 5754. Qualifications of eligible persons.

The following tenants who reside in a residential property in this Commonwealth owned by a landlord and who are more than 30 days past due on their rent shall be eligible for the program if the tenant:

(1) Either:
   (i) is served with a summons and complaint for eviction for lack of payment of rent due to circumstances relating to COVID-19; or
   (ii) the household is unable to make rental payments due to circumstances relating to COVID-19; and

(2) Has a household annualized current income of no more than the upper limit of "medium income" as defined in guidelines published annually by the United States Department of Housing and Urban Development.

§ 5755. Amount of funds to be dispersed.

(a) Funding formula.--The agency shall devise a formula for the distribution of funds based on fair market rents in each county, according to the most recent fair market rents published by the Department of Housing and Urban Development.

(b) Publication.--The agency shall transmit a notice of the formula used to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

§ 5756. Disbursement of funds.
(a) General rule.--Upon verification of the amount of rent due and a determination that an applicant satisfies all program requirements under section 5754 (relating to qualifications of eligible persons), the agency shall disburse a payment of program funds directly to the landlord on the tenant's behalf.

(b) Receipt of payment.--The landlord shall provide a copy of the disbursement directly to the tenant.

(c) Application of payment.--A landlord that accepts payment from the agency under this act shall apply the payment to the tenant's balance owed or past due.

§ 5757. Repayment of funds dispersed.
An eligible person shall not be required to reimburse the Commonwealth for money paid on behalf of the tenant under this subchapter, even if the eligible person's circumstances make the eligible person capable of paying back the funds to the Commonwealth at a future date.

Section 2. This act shall take effect immediately.