

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 806 Session of
1993

INTRODUCED BY SAURMAN, LEH, BUNT, HARLEY, OLASZ, TRELLO AND
LAUB, MARCH 22, 1993

REFERRED TO COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT,
MARCH 22, 1993

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," placing restrictions on application fees.

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

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

11 Section 207. Application Fees.--No landlord shall require an
12 applicant to pay a rental application fee which exceeds three
13 per cent of the monthly rental of the premises sought by the
14 applicant on the date the application is submitted.

15 A landlord who violates this section shall be liable to an
16 applicant for double the entire amount of the fee charged. Such
17 applicant shall be awarded any costs, including reasonable
18 attorney fees, expended to enforce this section.

19 As used in this section, the term "rental application fee"

1 shall mean any nonrefundable charge paid to a landlord at the
2 time of the filing of the application or thereafter designed to
3 compensate the landlord for the cost of considering and
4 processing the application and investigating the applicant for a
5 leased premises. Notwithstanding the landlord's stated purpose
6 for a nonrefundable fee, if the applicant receives no benefit
7 from it other than the right to enter into a lease with the
8 landlord, it shall be considered for the purposes of this
9 section to be a rental application fee.

10 Section 2. This act shall take effect immediately.