

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 906 Session of
2007

INTRODUCED BY BROWNE, WOZNIAK, PUNT, FONTANA, ERICKSON, BOSCOLA,
WAUGH, EARLL, PICCOLA, GREENLEAF AND RAFFERTY, MAY 29, 2007

REFERRED TO URBAN AFFAIRS AND HOUSING, MAY 29, 2007

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," providing for disposition of abandoned
6 property.

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

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

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

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

18 (1) execution of an order of possession in favor of the
19 landlord;

20 (2) both absence from the premises of the tenant in excess

of fourteen days and nonpayment of rent for one or more months,
and one or more of the following:

(i) shutoff of electric, natural gas, water or sewer
utilities if the tenant is responsible for these utilities;

(ii) accumulating mail;

(iii) unattended vehicles;

(iv) expiration of the term of a written lease; or

(v) expiration of a notice which terminates a month-to-month
tenancy; or

(3) death of the sole adult tenant which was not followed by
a request within ten days or after nonpayment of the next
month's rent, whichever is later, for property remaining on the
premises by the tenant's executor, heirs, assigns or other legal
representative.

(b) Within three days of relinquishment of the premises and
the acceptance of possession of the real property by the
landlord, the landlord shall provide written notice to the
former tenant that any of the former tenant's personal property
remaining on the premises must be retrieved by the former
tenant. The notice shall give the former tenant ten days to
retrieve the property, shall include a telephone number and
address where the landlord can be contacted and shall identify
the location where such property can be retrieved. The notice
under this subsection shall be posted on the premises and sent
by registered mail to the former tenant's forwarding address and
to any emergency contact that may have been provided by the
tenant in a lease agreement or may otherwise be personally
served on the tenant in accordance with the Rules of Civil
Procedure. If no forwarding address or emergency contact has
been provided to the landlord by the former tenant, the landlord

1 shall not be obligated to send or serve the notice required by
2 this subsection.

3 (c) At all times between the acceptance of the premises by
4 the landlord and the expiration of the notice, the landlord
5 shall exercise ordinary care with regard to any personal
6 property that the former tenant or other person has left in or
7 on the real property. If no forwarding address has been provided
8 to the landlord by the former tenant, the landlord's sole
9 obligation with respect to the former tenant's abandoned
10 property shall be to exercise ordinary care for ten days from
11 the acceptance of the premises by the landlord.

12 (d) After the time period in subsection (c) has expired, the
13 landlord shall have no further responsibility to the former
14 tenant or other person with regard to the personal property and
15 may, in his discretion, dispose of the property.

16 (e) A landlord may choose to store a former tenant's
17 abandoned personal property at a location other than the leased
18 premises. If the landlord elects to have the property stored at
19 another location, the landlord may remove the property from the
20 premises by any means reasonably calculated to safeguard the
21 property for the time periods specified in this section. A
22 landlord may, but shall not be required to, hire professional
23 movers to move the items to storage. A former tenant shall not
24 be required to pay any costs related to the removal or storage
25 of the property by the landlord, if the former tenant retrieves
26 the personal property within the time periods specified by this
27 section.

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