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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1340 Session of  
2015

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INTRODUCED BY WHITE, MURT, THOMAS, TOPPER, PETRI, GROVE, TAYLOR,  
COHEN AND ZIMMERMAN, JUNE 16, 2015

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 16, 2015

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AN ACT

1 Amending Title 68 (Real and Personal Property) of the  
2 Pennsylvania Consolidated Statutes, in condominiums, further  
3 providing for creation, alteration and termination of  
4 condominiums and for management of condominiums; and, in  
5 planned communities, further providing for creation,  
6 alteration and termination of planned communities and for  
7 management of planned communities.

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

10 Section 1. Sections 3219(d), 3315(d), 5219(d) and 5315(e) of  
11 Title 68 of the Pennsylvania Consolidated Statutes are amended  
12 to read:

13 § 3219. Amendment of declaration.

14 \* \* \*

15 (d) When unanimous consent required.--

16 (1) Except to the extent expressly permitted or required  
17 by other provisions of this subpart, no amendment may create  
18 or increase special declarant rights, increase the number of  
19 units or change the boundaries of any unit, the common  
20 element interest, common expense liability or voting strength

1 in the association allocated to a unit, or the uses to which  
2 any unit is restricted, in the absence of unanimous consent  
3 of the unit owners.

4 (2) As used in this subsection, the term "uses to which  
5 any unit is restricted" shall not include leasing of units.

6 \* \* \*

7 § 3315. Lien for assessments.

8 \* \* \*

9 (d) Limitation of actions.--A lien for unpaid assessments is  
10 extinguished unless proceedings to enforce the lien or actions  
11 or suits to recover sums for which subsection (a) establishes a  
12 lien are instituted within [three] four years after the  
13 assessments become payable.

14 \* \* \*

15 § 5219. Amendment of declaration.

16 \* \* \*

17 (d) When unanimous consent or declarant joinder required.--

18 (1) Except to the extent expressly permitted or required  
19 by other provisions of this subpart, without unanimous  
20 consent of all unit owners affected, no amendment may create  
21 or increase special declarant rights, alter the terms or  
22 provisions governing the completion or conveyance or lease of  
23 common facilities or increase the number of units or change  
24 the boundaries of any unit, the common expense liability or  
25 voting strength in the association allocated to a unit or the  
26 uses to which any unit is restricted. In addition, no  
27 declaration provisions pursuant to which any special  
28 declarant rights have been reserved to a declarant shall be  
29 amended without the express written joinder of the declarant  
30 in such amendment.

1           (2) As used in this subsection, the term "uses to which  
2           any unit is restricted" shall not include leasing of units.

3           \* \* \*

4 § 5315. Lien for assessments.

5           \* \* \*

6           (e) Limitation of actions.--A lien for unpaid assessments is  
7 extinguished unless proceedings to enforce the lien or actions  
8 or suits to recover sums for which subsection (a) establishes a  
9 lien are instituted within [three] four years after the  
10 assessments become payable.

11           \* \* \*

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