
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1549 Session of
2023

INTRODUCED BY MADSEN, SMITH-WADE-EL, MADDEN, HILL-EVANS, WAXMAN,
McNEILL, KAZEEM, PIELLI, ABNEY, KINSEY, BURGOS, SANCHEZ,
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GUENST, GREEN AND FIEDLER, JUNE 29, 2023

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
JUNE 29, 2023

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 tenement buildings and multiple
6 dwelling premises, further providing for landlord's duties;
7 and providing for tenant relocation payments.

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

10 Section 1. Section 502-A of the act of April 6, 1951
11 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951,
12 is amended to read:

13 Section 502-A. Landlord's Duties.--The following:

14 (1) The retention of control of the stairways, passages,
15 roadways and other common facilities of a tenement building or
16 multiple dwelling premises places upon the landlord, or other
17 possessor, the duty of reasonable care for safety in use. This
18 responsibility of the landlord extends not alone to the
19 individual tenant, but also to his family, servants and

1 employees, business visitors, social guests, and the like. Those
2 who enter in the right of the tenant, even though under his mere
3 license, make a permissible use of the premises for which the
4 common ways and facilities are provided.

5 (2) It is the duty of the landlord to provide a tenant a
6 safe, clean and habitable dwelling.

7 Section 2. The act is amended by adding an article to read:

8 ARTICLE V-C

9 TENANT RELOCATION PAYMENTS

10 Section 501-C. Definitions.

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

14 "Displaced tenant." A temporarily displaced tenant or a
15 permanently displaced tenant.

16 "Permanently displaced tenant." A tenant that is required to
17 vacate rental housing for 30 days or more because the rental
18 housing is condemned as unfit for human habitation by a
19 municipality or determined to be uninhabitable by another
20 governmental entity with oversight of the property through no
21 fault of the tenant.

22 "Temporarily displaced tenant." A tenant that is required to
23 vacate rental housing for less than 30 days because the rental
24 housing is condemned as unfit for human habitation by a
25 municipality or determined to be uninhabitable by another
26 governmental entity with oversight of the property through no
27 fault of the tenant.

28 Section 502-C. Temporary displacement.

29 For a temporarily displaced tenant, within 24 hours of the
30 posting of condemnation on the rental housing, a landlord shall

1 provide the following:

2 (1) Alternative, safe and legal comparable housing for
3 the temporarily displaced tenant and the temporarily
4 displaced tenant's belongings for the full temporary
5 displacement period. A temporary displacement period shall
6 not exceed 30 days.

7 (2) A relocation payment equal to one month's fair
8 market value rent for a unit of comparable size as
9 established by the most recent United States Department of
10 Housing and Urban Development schedule for fair market rents
11 for the zip code of the tenant. The relocation payment shall
12 be paid to the tenant by check or money order.

13 (3) Payment for the costs of the immediate relocation of
14 the temporarily displaced tenant and the tenant's belongings.

15 (4) At the end of a temporary displacement period,
16 payment for the costs to move the temporarily displaced
17 tenant and the temporarily displaced tenant's belongings back
18 to the tenant's original rental housing.

19 (5) If a temporarily displaced tenant returns to the
20 tenant's original housing, all lease provisions, including
21 provisions regarding the length of the lease term and the
22 amount of rent due at the time of the displacement shall
23 remain in place for the remainder of the lease in effect at
24 the time of the tenant's displacement.

25 Section 503-C. Permanent displacement.

26 Once a tenant has been displaced for more than 30 days, the
27 tenant shall be considered a permanently displaced tenant.
28 Within 72 hours of the 30th day of displacement, the landlord
29 shall pay, by check or money order, the following to a
30 permanently displaced tenant:

1 (1) The permanently displaced tenant's security deposit
2 with interest. If interest is not stated in a lease, the
3 interest rate shall be 5%.

4 (2) Any pro rata rent for the remainder of the month.

5 (3) Either six months' fair market value rent for a unit
6 of comparable size, as established by the most recent United
7 States Department of Housing and Urban Development schedule
8 for fair market rents for the zip code of the rental housing
9 being vacated or six months of the permanently displaced
10 tenant's rent under the lease at the time of displacement,
11 whichever is greater.

12 Section 504-C. Alternative agreement.

13 Notwithstanding a relocation payment required under this
14 article, a landlord and a displaced tenant may agree to an
15 alternative arrangement if the alternative agreement is of equal
16 benefit to the displaced tenant and is evidenced by a signed
17 written agreement between the displaced tenant and the landlord.
18 The written agreement detailing the alternative arrangement must
19 contain:

20 (1) The names of current occupants of the condemned
21 rental housing.

22 (2) The address of the condemned rental housing.

23 (3) A statement indicating the amount of the relocation
24 payment to which the tenant is entitled under section 502-C
25 or 503-C.

26 (4) A statement that the tenant has waived the right to
27 a relocation payment.

28 (5) A description of the alternative arrangement.

29 (6) The address, if known, of the location to which the
30 tenant plans to move.

1 Section 505-C. Proof of compliance.

2 Within five days after a tenant vacates the rental housing, a
3 landlord shall provide the local housing authority or
4 municipality with a copy of the check or money order provided to
5 the displaced tenant and a receipt signed by the displaced
6 tenant. If an alternative arrangement is agreed upon between the
7 displaced tenant and the landlord, the landlord shall provide
8 the local housing authority or municipality with a copy of the
9 signed written agreement.

10 Section 506-C. First right to reoccupy.

11 A landlord shall provide a permanently displaced tenant with
12 the first right to reoccupy rental housing once the rental
13 housing becomes habitable and is compliant with all municipal
14 codes. The following shall apply:

15 (1) A landlord shall provide a permanently displaced
16 tenant with written notice of the tenant's first right to
17 reoccupy.

18 (2) The notice provided by the landlord shall include
19 the landlord's current address and telephone number which the
20 permanently displaced tenant can use to contact the landlord.

21 (3) It is the responsibility of the permanently
22 displaced tenant to provide the landlord with the permanently
23 displaced tenant's current address and telephone number to be
24 used for future notification.

25 (4) When the rental unit becomes habitable, the landlord
26 shall give written notice by certified mail to the
27 permanently displaced tenant informing the tenant that the
28 rental housing is habitable and ready to be occupied.

29 (5) If the landlord cannot locate a previous permanently
30 displaced tenant after two attempts over a two-month period,

1 the second attempt must occur 30 days after the first
2 attempt, the landlord is deemed to be in compliance with the
3 provisions of this section and the tenant's first right to
4 reoccupy is forfeited.

5 (6) A permanently displaced tenant shall notify a
6 landlord of the tenant's intent to reoccupy the rental
7 housing no later than 15 days after the second attempt to
8 notify the tenant that the rental housing is ready to be
9 occupied.

10 (7) A permanently displaced tenant must reoccupy the
11 rental housing within 30 days after the tenant notifies the
12 landlord of the tenant's intent to reoccupy the rental
13 housing.

14 (8) A permanently displaced tenant may waive the right
15 to reoccupy the rental housing at any time after displacement
16 from the rental housing.

17 Section 507-C. Exception.

18 A landlord shall not be required to provide a relocation
19 payment or first right to reoccupy if it is deemed by the
20 municipality that the rental housing is condemned due to events
21 that are beyond the control of the landlord. This section shall
22 not be applicable if the condemnation was a result of lack of
23 maintenance, neglect or other preventable action that could have
24 been taken by the landlord.

25 Section 508-C. Applicability.

26 This article shall not apply to a landlord that resides in
27 this Commonwealth and operates less than five residential
28 dwelling units within this Commonwealth.

29 Section 3. This act shall take effect in 60 days.