



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 287

PRINTER'S NO. 2747

PRIME SPONSOR: Krajewski

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	\$0	\$0

SUMMARY:

House Bill 287, Printer's Number 2747, amends Titles 42 (Judiciary and Judicial Procedures) and 68 (Real and Personal Property) to change the tenant eviction process in a city of the first class, create the eviction agent advisory board, outline duties of eviction agents, provide for their education and training, and outline eviction procedures.

ANALYSIS:

This bill makes multiple changes to eviction policies in a city of the first class. It provides definitions, including for behavioral health professionals, an advisory board, ejection case, eviction agent, eviction case, judicial duty, private entity, and program. It creates the Eviction Agent Advisory Board with the purpose of providing oversight of eviction agents and judicial duties and receiving complaints regarding eviction agents. The board is directed to meet on a quarterly basis or more frequently if necessary and will consist of:

- The municipal court president judge in a city of the first class or a designee.
- The first judicial district court administrator in a city of the first class or a designee.
- A designee of the mayor in a city of the first class.
- The chairperson of the Committee on Housing, Neighborhood Development and the Homeless, or its successor committee of the city council, in a city of the first class or a designee.
- The city controller in a city of the first class or a designee.
- A representative of a homeowners' association located in a city of the first class.
- A representative of a legal services coalition partnered with a city of the first class to provide eviction prevention.
- A landlord who owns a rental property in a city of the first class.

It outlines the duties of the board, which include:

- Collaborate with an eviction agent in a city of the first class to establish policies on duties, requirements, organization, training, responsibilities, ethics and discipline of eviction agents.
- Create an approval and review process for eviction agents who may perform a judicial duty.
- Approve eviction agents who may perform a judicial duty.
- Create a complaint process for eviction actions.
- Collaborate with an eviction agent in a city of the first class to hire or contract with behavioral health professionals to assist eviction agents in the performance of a judicial duty.
- Conduct oversight of eviction agents, including investigative authority and the power to subpoena testimony and records with legal counsel.
- Collect the following information from eviction agents, including the number of lockouts performed monthly, the names of eviction agents employed, the number and nature of complaints against eviction agents, the outcomes of the complaints against agents, and any other information regarding judicial duties as deemed necessary by the board. This information is to be posted quarterly on the boards publicly accessible website.

It directs the board to establish, implement, and administer the Eviction Agent Education and Training Program. Under this program, the board is directed to establish requirements for courses of study, in-service training for eviction agents, continuing education requirements, minimum qualifications and certification requirements for instructors, and to certify eviction agents. The required training shall total 80 hours and include alternatives to the use of force, the judicial process, and implicit bias. The continuing education shall include no more than 40 hours. The board is required to prepare an annual report to the governor and general assembly concerning administration of the program, activities of the board, cost of the program, and proposed changes. An eviction agent may not perform a judicial duty unless certified under this program. It further directs the board, in coordination with the Pennsylvania Commission on Crime and Delinquency, to establish standards for the certification of private eviction agents to carry or use firearms while performing judicial duties.

The board is also directed to establish a complaint process for reporting misconduct by an eviction agent and post compliant forms and the submission process on a publicly accessible website. The board is authorized to inquire into the official conduct of an eviction agent and investigate complaints and take disciplinary action. Deputy sheriffs are exempt from investigation by the board, but the board shall forward complaints about a deputy sheriff to the sheriff's office for an internal investigation.

Finally, the bill allows a behavioral health professional to accompany an eviction agent while performing judicial duties and requires an eviction agent to provide adequate notice of the date and time of each eviction.

The act shall take effect in 60 days.

FISCAL IMPACT:

House Bill 287 will have no fiscal impact on the Commonwealth.

PREPARED BY: Chris Fetterman
House Appropriations Committee (D)

DATE: March 20, 2024

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.