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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

COMMITTEES

FINANCE  
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## MEMORANDUM

**TO:** Members of the House of Representatives

**FROM:** Representative Madeleine Dean *MP*

**DATE:** October 11, 2012

**SUBJECT:** Proposed Legislation - Early Termination of Rental Agreements by Senior Citizens and Disabled Persons

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In the near future I will be introducing legislation proposing to amend the Act of April 6, 1951 (P.L.69, 20), known as the Landlord and Tenant Act, to grant senior citizens and individuals with disabilities early termination rights pertaining to rental agreements under limited, special circumstances.

As many of you are aware, Pennsylvania's senior citizen and disabled population is among the highest in the nation. According to the United States Census Bureau, the Commonwealth has a total of 1,959,307 residents that are 65 years of age or older. In addition, the Disabled World organization estimates that there are approximately 1,851,000 Pennsylvanians over the age of five that are afflicted with some form of disability. This particular demographic constitutes a population who must confront the grim and inevitable prospect of declining or deteriorating health. As a result, many of these individuals in the course of their lifetime will undergo or have undergone placement in a health care facility or require home health care for the purpose of receiving the adequate amount of long-term treatment and care that they both need and deserve.

Sadly, it is oftentimes during the period when our disabled and elderly citizens should be primarily focused on their own convalescence that they are instead burdened with financial worries. Therefore, out of compassion and consideration, I am proposing to create special exceptions for seniors and disabled persons for early termination of residential rental agreements.

Under current Pennsylvania law, landlords are not required to permit the early termination of a rental agreement, irrespective of the circumstances necessitating such an action. My legislation would allow both disabled persons and the elderly to terminate a lease prior to its expiration —without penalty— during instances when they are required to move or are placed in a health care facility due to medical reasons. In addition, this exception would be applicable when elderly or handicapped individuals are required to move in with family members for the purpose of receiving long-term home health care. The intent of my proposed legislation is not to deprive landlords of any outstanding rental fees due prior to the termination of a lease. Instead, my intent is simply to lessen the financial burden and contractual obligation for our most vulnerable citizens during one of the more challenging and harrowing experiences of their lives.

If you would wish to join me as a co-sponsor of this measure, please contact my Legislative Assistant, Deborah R. Brady at (717) 783-7619 or [DRBrady@pahouse.net](mailto:DRBrady@pahouse.net).