

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in COVID-19 disaster emergency,
3 providing for prohibitions relating to reporting of
4 nonpayments or delinquent rent payments.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Chapter 57 of Title 35 of the Pennsylvania
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER F

10 PROHIBITIONS RELATING TO REPORTING OF

11 NONPAYMENTS OR DELINQUENT RENT PAYMENTS

12 Sec.

13 5751. Definitions.

14 5752. Reporting prohibited.

15 5753. Limitations and exceptions.

16 5754. Expiration.

17 § 5751. Definitions.

18 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Consumer reporting agency." A person that, for monetary
4 fees, dues or on a cooperative basis, regularly engages in the
5 practice of assembling or evaluating consumer credit information
6 or other information on consumers for the purpose of furnishing
7 consumer reports to third parties.

8 "Disaster emergency." The proclamation of disaster emergency
9 issued by the Governor on March 6, 2020, published at 50 Pa.B.
10 1644 (March 21, 2020), and any renewal of the state of disaster
11 emergency.

12 § 5752. Reporting prohibited.

13 A landlord may not report to a consumer reporting agency
14 nonpayments of rent or delinquent rent payments recorded against
15 a residential tenant during the COVID-19 disaster emergency.

16 § 5753. Limitations and exceptions.

17 (a) Limitations.--The following apply:

18 (1) The provisions of this subchapter do not relieve the
19 obligation of a tenant to pay rent or the obligations of
20 landlords and tenants to comply with any other conditions of
21 tenancy.

22 (2) The provisions of this subchapter do not preclude:

23 (i) any of the following based on grounds other than
24 nonpayment of rent, fees, interest or other monetary
25 obligations, nonpayment of utilities or other failure of
26 the tenant to perform any other obligation requiring
27 payment or expenditure of money by the tenant:

28 (A) tenancy terminations;

29 (B) actions for possession;

30 (C) unlawful holdover; or

1 (D) refusals to renew or extend the terms of a
2 tenancy.

3 (ii) eviction based on:

4 (A) damage or destruction to the premises;

5 (B) criminal activity on the premises; or

6 (C) a threat to the health and safety of the
7 public.

8 (3) A default judgment may not be entered against a
9 defendant in an action for termination, possession, unlawful
10 holdover or rent for the duration of the disaster emergency.

11 (4) A landlord may not seek or collect treble damages
12 based on the failure of a tenant or authorized guest to
13 vacate the premises for the duration of the disaster
14 emergency.

15 (b) Exceptions.--The limitations under subsection (a) do not
16 apply in the following circumstances:

17 (1) An eviction action, including, but not limited to, a
18 request, motion, filing or action taken or made after the
19 tenant is no longer in possession and no longer occupies the
20 dwelling unit.

21 (2) Property rented for commercial business use.

22 (3) Eviction under subsection (a) (2) (ii) (C) if the
23 threat to the health and safety of the public is that a
24 tenant or authorized guest could potentially transmit COVID-
25 19.

26 § 5754. Expiration.

27 The provisions of this subchapter shall expire six months
28 after the termination or expiration of the disaster emergency.

29 Section 2. This act shall take effect immediately.