

REAL AND PERSONAL PROPERTY (68 PA.C.S.) - REAL ESTATE
FORECLOSURE OF VACANT AND ABANDONED PROPERTY, FOR SHERIFF'S
COMMISSION AND CREDITOR ATTORNEY FEES

Act of Jun. 19, 2018, P.L. 208, No. 32

Cl. 68

Session of 2018
No. 2018-32

HB 653

AN ACT

Amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in real property, providing for real estate foreclosure of vacant and abandoned property and for sheriff's commission and creditor attorney fees.

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

Section 1. Title 68 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

**CHAPTER 23
REAL ESTATE FORECLOSURE**

Subchapter

- A. Vacant and Abandoned Property**
- B. Sheriff's Commission and Creditor Attorney Fees**

**SUBCHAPTER A
VACANT AND ABANDONED PROPERTY**

Sec.

- 2301. Short title of subchapter.
- 2302. Legislative findings and purpose.
- 2303. Definitions.
- 2304. Certification of vacant and abandoned mortgaged property.
- 2305. Requirements to certify mortgaged property as vacant and abandoned.
- 2306. Effect of certification of vacancy and abandonment.
- 2307. Post-sheriff's sale possessory action, effect of certification of vacancy and abandonment in action for possession and disposition of abandoned personal property.
- 2308. Construction.

§ 2301. Short title of subchapter.

This subchapter shall be known and may be cited as the Vacant and Abandoned Real Estate Foreclosure Act.

§ 2302. Legislative findings and purpose.

The General Assembly finds and declares that:

(1) Vacant and abandoned real estate, coupled with a default in the obligation to make mortgage payments secured by that real estate, presents a danger to the health, safety and welfare of a community.

(2) Vacant and abandoned real estate often is not repaired, restored and returned to productive use until either a creditor or municipality acquires title to the real estate.

(3) An accelerated procedure is needed to maintain the due process rights of owners of real estate and to reduce unnecessary delays in an action of mortgage foreclosure or an action for possession or similar actions to recover real estate that is vacant and abandoned.

§ 2303. Definitions.

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

"Action for possession." An action in ejectment initiated by a purchaser to take control of mortgaged property.

"Action to quiet title." An action to resolve claims to title to a mortgaged property initiated by a creditor or purchaser.

"Creditor." A person authorized to enforce an obligation secured by a mortgage or an authorized agent of the creditor, including a servicer.

"Foreclosure action." An action initiated by a creditor to enforce a mortgage obligation.

"Former owner." An owner or obligor, or a successor in interest of an owner or obligor, whose interest in a mortgaged property was foreclosed in an action of mortgage foreclosure, conveyed by a deed in lieu of foreclosure or divested by court order under a mortgage or other obligation, including a successor in interest or other person claiming rights under or through the owner or obligor.

"Mortgage." A consensual interest in real property that secures an obligation.

"Mortgaged property." Real property that is subject to a mortgage and improved with buildings or structures intended for any type of human occupancy, including a formerly mortgaged property conveyed to a purchaser at a sheriff's sale or pursuant to a deed in lieu of foreclosure.

"Municipal board of appeals." The body designated to review decisions of a municipal code enforcement officer under the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act.

"Municipal code enforcement officer." The official designated to administer and enforce building codes in a municipality designated under section 501 of the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act.

"Municipality." A city, borough, township or incorporated town.

"Obligation." A debt or other duty or liability of an obligor secured by a mortgage.

"Obligor." A person that:

- (1) owes payment or performance of an obligation;
- (2) has signed a mortgage agreement with respect to mortgaged property; or
- (3) is otherwise accountable in whole or in part for payment or performance of an obligation.

"Owner." A person claiming the right to ownership, possession or use of a mortgaged property.

"Proceeding." A foreclosure action, an action for possession or an action to quiet title relating to a mortgaged property.

"Property address." The address of a mortgaged property, unless a different address is provided by the owner or obligor in mortgage documents for notification of the owner or obligor or in subsequent correspondence sent by the owner or obligor to change the address for notification specified for use in mortgage documents.

"Purchaser." Any of the following:

- (1) a person that acquires equitable title to a mortgaged property at a sheriff's sale conducted pursuant to a foreclosure or similar action and has paid settlement funds and delivered required documentation to the sheriff to obtain a sheriff's deed or the owner of a property under

a recorded sheriff's deed to the property or the person's designee;

(2) the owner of a mortgaged property under a recorded sheriff's deed to the mortgaged property; or

(3) a person that takes title to a mortgaged property pursuant to a deed in lieu of foreclosure.

"Record." As a noun, the term means information that is inscribed on a tangible medium or is stored in an electronic or other medium and is retrievable in perceivable form.

"Residential mortgaged property." A mortgaged property located within this Commonwealth containing two or fewer residential units or on which two or fewer residential units are to be constructed, including a residential condominium, cooperative or planned community unit.

"Servicer." A person that is responsible for servicing an obligation, including a person that holds or owns an obligation or originates a mortgage loan if the person also services the obligation.

"Vacant and abandoned property." Property that meets the requirements for certification as provided under section 2305 (relating to requirements to certify mortgaged property as vacant and abandoned).

"Vacant property." Mortgaged property with respect to which the owner and all persons claiming through the owner, including tenants, have relinquished possession. The term does not include unoccupied mortgaged property that is:

(1) undergoing construction, renovation or rehabilitation and that is proceeding with reasonable diligence to completion;

(2) physically secured and used or held for use by the homeowner as a vacation or seasonal home; or

(3) physically secured and the subject of a probate action or other litigation in which ownership is contested.

§ 2304. Certification of vacant and abandoned mortgaged property.

(a) General rule.--After a creditor gives notice to an obligor of a delinquency or other default with respect to an obligation secured by a mortgage or initiates a foreclosure action or action for possession or to quiet title, a mortgaged property for which the notice is given or proceedings are initiated shall be certified as vacant and abandoned if:

(1) a creditor or purchaser has been designated as a conservator of the mortgaged property under section 5 of the act of November 26, 2008 (P.L.1672, No.135), known as the Abandoned and Blighted Property Conservatorship Act;

(2) the mortgaged property is certified as vacant and abandoned by the municipality in which the mortgaged property is located in the manner provided under subsection (b); or

(3) the mortgaged property is certified as vacant and abandoned in a proceeding in the manner provided under subsection (c).

(b) Municipal certification.--A mortgaged property shall be deemed vacant and abandoned by the municipality in which the mortgaged property is located if:

(1) A creditor requests that the municipal code enforcement officer for the municipality make a determination that the mortgaged property is vacant and abandoned.

(2) The municipal code enforcement officer inspects the mortgaged property, determines that the mortgaged property is vacant and abandoned under the requirements of section 2305 (relating to requirements to certify mortgaged property as vacant and abandoned) and gives notice of the

determination and an opportunity for hearing to the owner or an obligor other than the owner in the manner required under 2 Pa.C.S. § 553 (relating to hearing and record) or as otherwise provided by law for the giving of notice of municipal code violations and to contest determinations that violations have occurred.

(3) The creditor pays or agrees to pay a fee not to exceed 110% of the reasonable costs for the municipal code inspection officer to conduct an inspection of the mortgaged property, to prepare a report of the inspection, to give notice of the results of the inspection to the creditor and the obligor and to participate in an appeal of a determination that the mortgaged property is vacant and abandoned.

(4) The owner or obligor, after receiving notice and an opportunity for a hearing, fails to seek review of a determination that the mortgaged property is vacant and abandoned by the municipal board of appeals within 30 days or, if a timely request for review is filed, a final determination is made that the mortgaged property is vacant and abandoned.

(c) Judicial certification.--A mortgaged property shall be deemed certified as vacant and abandoned in a proceeding as follows:

(1) In a proceeding, a creditor or purchaser may file a request with the prothonotary to issue a rule to show cause why the mortgaged property should not be certified as vacant and abandoned by submitting an affidavit:

(i) supported as appropriate by images or other appropriate evidence, alleging that the mortgaged property qualifies for certification as vacant and abandoned under the requirements of section 2305; and

(ii) submitted subject to the penalties for false swearing under 18 Pa.C.S. § 4903 (relating to false swearing).

(iii) The request may be filed together with the original complaint in the proceeding or at any time during the course of the proceeding.

(2) The affidavit that the mortgaged property is vacant and abandoned may be provided by a municipal code enforcement officer, the creditor or purchaser or by a competent adult who has personal knowledge of the condition of the mortgaged property, including a property inspector or agent retained by a creditor.

(3) A request for a rule to show cause need not be served on the owner of the mortgaged property or an obligor other than the owner, but the rule issued by the prothonotary shall be served on the owner or obligor in the manner provided under paragraph (5).

(4) Within 10 business days of receipt of the request for a rule to show cause, the prothonotary shall provide a rule to show cause to the creditor or purchaser if the affidavit contains assertions of fact that comply with the requirements for certification as vacant and abandoned as provided under section 2305.

(5) The rule to show cause shall be served on the owner and an obligor other than the owner by the creditor or purchaser as follows:

(i) If the owner or an obligor other than the owner is represented by counsel in a proceeding in which the rule to show cause is issued, the rule may be served by

delivery of the rule to show cause to counsel for the owner or obligor.

(ii) If the owner or an obligor other than the owner is not represented by counsel in the proceeding, the creditor shall make at least three attempts to personally serve the rule to show cause. Attempts at personal service may occur at the property address and the address specified in the county tax assessor's office for the delivery of property tax bills for the mortgaged property. The attempts shall be at least 72 hours apart and at reasonable and different times of the day. If the creditor cannot complete personal service on a party, service may be completed by delivery of notice by first class mail to the addresses at which personal service may be made and by posting of the property in a conspicuous manner.

(iii) A rule to show cause may be served on the owner or an obligor other than the owner in the manner provided under this paragraph regardless of whether service of a complaint in a proceeding has been completed.

(6) A copy of the rule to show cause shall be delivered by the creditor or purchaser by first class mail to the municipal code enforcement officer for the municipality where the mortgaged property is located.

(7) An obligor may respond to the rule to show cause by filing with the court a statement, submitted under oath or affirmation that attests the statement is true and subject to the penalties under 18 Pa.C.S. § 4903, that the mortgaged property is not vacant and abandoned on a form provided by the creditor or purchaser as specified below and containing other information as may be required by the court. Only response blocks to deny averments of indicia that a property is vacant or abandoned provided in the request for issuance of the rule to show cause shall be included in the form. The response shall include:

(i) Matter name and docket number.

(ii) Respondent or respondents.

(iii) Address or mortgaged property.

(iv) The respondent or respondents to this rule to show cause certify that the mortgaged property is not vacant and abandoned for the following reasons as designed by checking all appropriate spaces below:

-The property is not vacant and has been occupied within the last 45 days by (specify name or names of persons).
-Multiple windows, doors or entrances on the property are not boarded up, unhinged, closed off, smashed in or are continuously unlocked.
-The mortgaged property has not been stripped of copper or other metals.
-Interior furnishings, personal items, appliances or fixtures have not been removed from the mortgaged property, including window treatments, such as blinds, curtains or shutters.

-Gas, electric, water or sewer utility services have not been terminated to the mortgaged property or are established in the name of the creditor to preserve the mortgaged property.
-Newspapers, circulars, flyers or mail have not accumulated on the mortgaged property.
-The United States Postal Service has not discontinued delivery to the mortgaged property.
-Rubbish, trash, debris, neglected vegetation or natural overgrowth has not accumulated on the mortgaged property.
-Hazardous, noxious or unhealthy substances or materials have not accumulated on the mortgaged property.
-No communications have occurred between respondents and (name of the creditor or purchaser) stating an intent to vacate or abandon the property.

With respect to the following violations of municipal building or housing code (violation to be specified by the creditor or purchaser):

-No citations alleging violations have been received.
-Answers alleging that the violations did not occur and at this time no final determination has been made regarding whether the violations exist, or the citations were dismissed.
-The violations have been corrected within the preceding year.

The respondent or respondents whose signature appears below certify under the penalties provided under 18 Pa.C.S. § 4903 (relating to false swearing) with respect to official matters that the statements above are true and correct.

(Signature of the respondent or respondents).

(8) If a response to the rule to show cause is not filed within 20 days after being served, the court shall render an order certifying the mortgaged property as vacant and abandoned.

(9) If a timely response to the rule to show cause is filed, the court shall schedule a hearing to determine if credible evidence exists to certify the mortgaged property as vacant and abandoned within not fewer than 20 nor more than 30 days after proof of service of the rule to show cause in the manner provided under paragraph (5).

§ 2305. Requirements to certify mortgaged property as vacant and abandoned.

(a) General rule.--A mortgaged property may be certified as vacant and abandoned by a municipal code enforcement officer under section 2304(b) (relating to certification of vacant and abandoned mortgaged property) or in a judicial proceeding under section 2304(c) if the mortgaged property is vacant and

satisfies at least three of the following indicia of abandonment:

(1) Multiple windows, doors or entrances on the property are boarded up, unhinged, closed off, smashed in or are continuously unlocked.

(2) The mortgaged property has been stripped of copper or other metals.

(3) Interior furnishings, personal items, appliances or fixtures have been removed from the mortgaged property, including window treatments, such as blinds, curtains or shutters.

(4) Gas, electric, water or sewer utility services have been terminated to the mortgaged property or are established in the name of the creditor to preserve the mortgaged property.

(5) Newspapers, circulars, flyers or mail has accumulated on the mortgaged property or the United States Postal Service has discontinued delivery to the mortgaged property.

(6) Rubbish, trash, debris, neglected vegetation or natural overgrowth has accumulated on the mortgaged property.

(7) Multiple municipal building or housing code violations exist for the mortgaged property and the violations have been documented as being uncorrected during the preceding year.

(8) Written and signed statements have been issued by the mortgaged property's adjoining neighbors, adjacent neighbors, delivery persons or a municipal code enforcement officer indicating that the mortgaged property is vacant and abandoned.

(9) Hazardous, noxious or unhealthy substances or materials have accumulated on the mortgaged property.

(10) A communication from the owner or obligor stating that both the owner and any obligor have vacated or abandoned the property or intend to do so.

(b) Determining vacancy.--Competent evidence may be relied on to determine that a mortgaged property is vacant, including evidence that:

(1) The mortgaged property was found to be vacant at the time of two inspections occurring at least 45 days apart.

(2) After the first inspection the mortgaged property was posted with a notice advising an occupant of the mortgaged property to immediately contact the person who conducted the inspection and advising that failure to do so may have adverse legal consequences.

(3) No response was received to the notice posted after the first inspection from a person legally entitled to occupy the mortgaged property prior to the second inspection.

(c) Corrective action by creditor or purchaser.--The remediation of conditions that provide evidence of abandonment under subsection (b) by the creditor or purchaser or corrective action taken by a municipality or other person to protect the public health and welfare shall not prevent a mortgaged property from meeting the requirements to be certified as vacant and abandoned.

§ 2306. Effect of certification of vacancy and abandonment.

(a) Foreclosure action.--In a foreclosure action, a mortgaged property certified as vacant and abandoned shall not be subject to mediation, conciliation, diversion or other program established by a local court to encourage resolution of owner-occupied residential mortgage foreclosures.

(b) Service and notification.--Following a certification that a mortgaged property is vacant and abandoned, any subsequent documents required to be served on and any notices required to be delivered to the owner, any obligor other than the owner or a former owner may be exclusively served and delivered by first class mail to an address specified by the owner, obligor or former owner for the receipt of communications relating to the property or, if no address is specified, by delivery to the address of the mortgaged property and by posting of notice in a conspicuous location on the mortgaged property.

(c) Scheduling of sheriff's sale.--

(1) If a mortgaged property is certified as vacant and abandoned, upon the request of a creditor or purchaser, the sheriff, on receipt of an accelerated sale fee of \$500, shall schedule a sale of the mortgaged property to be conducted no later than 60 days following the filing of the writ of execution and the sheriff's deed must be recorded no later than 30 days following the sale.

(2) The accelerated sale fee shall be payable at the time of the filing of the writ of execution and shall be immediately refunded if:

(i) the time frames specified in this subsection are not complied with; or

(ii) the expedited sale date is postponed or continued by a party other than the creditor.

(d) Scheduling of execution of writ of possession.--

(1) If a mortgaged property is certified as vacant and abandoned, upon the requests of a creditor or purchaser, the sheriff, on the receipt of an additional fee of \$250, shall execute and serve a writ of possession no later than 20 days following delivery of the writ to the sheriff.

(2) In order to impose the additional fee, the sheriff must schedule the removal of a former owner's personal property from the mortgaged property and the securing of the personal property to be conducted no later than 30 days following the filing of the writ of execution.

(3) The additional fee shall be immediately refunded if:

(i) the time frames provided under this section are not complied with; or

(ii) the expedited execution is postponed or continued by a party other than the purchaser.

(e) Possession of mortgaged property pending foreclosure.--If a mortgaged property is certified as vacant and abandoned, or with the consent of the owner or an obligor other than the owner, the creditor may enter the mortgaged property peacefully for the purpose of inspecting, maintaining and repairing the mortgaged property and shall not be liable to the owner for trespass or for damage to the property resulting from a cause other than the creditor's gross negligence or willful misconduct.

(f) Property maintenance.--

(1) The maintenance obligations of a creditor that exercises the right to possession pending foreclosure are limited to compliance with property maintenance requirements of the Federal Housing Administration for loans insured by the administration or of the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation for mortgages held by either respective entity.

(2) For other creditors, the mortgaged property maintenance obligations of a creditor that exercises its right to possession pending foreclosure shall be limited to:

(i) Care for the yard and exterior of a building on vacant and abandoned mortgaged property, including removing excessive foliage growth that diminishes the value of surrounding properties.

(ii) Measures reasonably necessary to prevent trespassers from remaining on the mortgaged property.

(iii) Preventing mosquito larvae from growing in standing water on the mortgaged property and infestations by other vermin and insects.

(iv) Taking other actions needed to prevent conditions on the mortgaged property that create a serious and imminent hazard to public health or safety.

§ 2307. Post-sheriff's sale possessory action, effect of certification of vacancy and abandonment in action for possession and disposition of abandoned personal property.

(a) Removal of personal property by former owner.--

(1) When a former owner relinquishes possession of mortgaged property certified as vacant and abandoned, the former owner shall remove from the mortgaged property all items of personal property.

(2) For the purposes of this section, a former owner shall be deemed to have relinquished possession when the former owner has:

(i) physically vacated the premises;

(ii) removed substantially all of the former owner's personal property; or

(iii) provided a forwarding address or written notice stating that the former owner has vacated the premises or otherwise communicated to the creditor that the former owner has relinquished possession of the mortgaged property.

(b) Removal of personal property by purchaser.--If the former owner fails to remove personal property from mortgaged property certified as vacant and abandoned after delivery of a sheriff's deed or a deed in lieu of foreclosure, concurrent with the filing of an action for possession or at any time after the action is filed, the purchaser may remove the remaining personal property of the former owner in the following manner:

(1) The purchaser shall serve notice of intent to remove personal property from the mortgaged property on the owner in the manner provided under section 2306(b) (relating to effect of certification of vacancy and abandonment).

(2) The purchaser shall conspicuously post on the property a personal property removal notice that includes:

(i) the date the notice was posted;

(ii) the address of the mortgaged property;

(iii) the date of the sheriff's sale or the date the title was acquired by the purchaser;

(iv) a notice that personal property that remains on the mortgaged property must be retrieved by the former owner;

(v) a statement that:

(A) The former owner has 10 days from the date of the notice to notify the purchaser that the former owner will be retrieving the personal property.

(B) If the intent to retrieve is conveyed to the purchaser, the personal property shall be retained by the purchaser at the mortgaged property or a site of the purchaser's choosing for 30 days from the date of the notice.

(C) If no communication is made to the purchaser within 10 days, the personal property may be disposed of at the discretion of the purchaser; and

(vi) a telephone number, e-mail address or facsimile number and address for the purchaser or its agent and the location where the personal property can be retrieved, if not at the mortgaged property, and a statement that retrieval of the personal property after 10 days will require the former owner to pay for costs related to the storage of the personal property.

(3) At all times between posting of the personal property removal notice and the expiration of the 10-day period, the purchaser shall exercise ordinary care with regard to any personal property that the former owner left in or on the mortgaged property.

(4) At the expiration of the 10-day period, the purchaser shall owe no duty to the former owner with regard to caring for the personal property and may, in the purchaser's discretion, dispose of the personal property subject to the following:

(i) If the personal property is sold and proceeds exceed any outstanding obligations owed to the owner or obligor, the proceeds shall be forwarded to the former owner by certified mail.

(ii) If no forwarding address has been provided to the purchaser by the former owner, the owner shall hold the proceeds for 30 days and, if unclaimed, may retain the proceeds.

(5) If the purchaser has issued a personal property removal notice to the former owner, the purchaser may store the former owner's personal property at another location within reasonable proximity to the mortgaged property subject to the following:

(i) If the purchaser stores the personal property at another location, the purchaser may remove the personal property from the mortgaged property by any means reasonably calculated to safeguard the personal property for the time period required under this section.

(ii) A former owner shall not be required to pay the costs related to the removal or storage of personal property by the purchaser if the former owner retrieves the personal property within 10 days of the date of the notice.

(6) If the former owner or occupant retrieves the personal property after 10 days of the date of the notice but before 30 days, the former owner shall pay any reasonable and actual costs related to the removal or storage of the personal property by the purchaser for that time period.

§ 2308. Construction.

Nothing in this subchapter shall be construed to limit or restrict in any manner remedies available at law or in equity to a creditor or purchaser in a proceeding.

SUBCHAPTER B
SHERIFF'S COMMISSION AND CREDITOR
ATTORNEY FEES

Sec.

2309. (Reserved).

2310. Sheriff's commission.

2311. Limitation on creditor's attorney fees.

2312. Applicability.

§ 2309. (Reserved).

§ 2310. Sheriff's commission.

(a) Timing of payment.--With respect to a mortgaged property, the commission payable to the sheriff provided under section 4(b) of the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act, shall not be due unless the mortgaged property is sold at the execution sale conducted by the sheriff.

(b) Stay, cancellation, withdrawal or postponement of sale.--If the execution sale of a mortgaged property is stayed, canceled, withdrawn or postponed due to bankruptcy, because the mortgage is decelerated and brought current, in whole or in part, is paid in full or as a result of a loan modification of the mortgage loan or other resolution of the foreclosure action or for another reason, the sheriff shall not be entitled to the commission.

§ 2311. Limitation on creditor's attorney fees.

(a) After commencement of proceedings.--

(1) After the commencement of foreclosure or other legal action with respect to a residential mortgage that is subject to the limits on attorney fees provided under section 406 of the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, attorney fees that are reasonable and actually incurred by the residential mortgage lender may be charged to the residential mortgage debtor.

(2) Attorney fees are presumed to be reasonable under paragraph (1) if they:

(i) conform with the attorney fees promulgated and as may be amended from time to time by the Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, the Department of Housing and Urban Development, the Department of Veterans Affairs or their respective successor organizations; and

(ii) are actually incurred for the enforcement of a mortgage obligation in this Commonwealth.

(3) A party to the action may request, upon application to the court, a review of the reasonableness of the attorney fees claimed.

(b) Before commencement of proceedings.--

(1) Except as provided in paragraph (2), prior to the commencement of foreclosure or other legal action with respect to a residential mortgage that is subject to the limits on attorney fees provided under section 406 of the Loan Interest and Protection Law, attorney fees that are reasonable and actually incurred not in excess of 0.1% of the amount of the then existing base figure as defined in section 101 of the Loan Interest and Protection Law may be charged to the residential mortgage debtor.

(2) No attorney fees may be charged for legal expenses incurred for a residential mortgage prior to or during the 30-day notice period provided under section 406 of the Loan Interest and Protection Law.

§ 2312. Applicability.

This subchapter shall apply to the extent provided under sections 2310 (relating to sheriff's commission) and 2311 (relating to limitation on creditor's attorney fees) and shall not be limited to mortgaged properties certified as vacant and abandoned under Subchapter A (relating to vacant and abandoned property).

Section 2. This act shall apply to proceedings commenced before, on or after the effective date of this section.

Section 3. The following parts of acts are repealed to the extent of any inconsistency with 68 Pa.C.S. Ch. 23:

(1) Section 406(3) of the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law.

(2) Section 7 of the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act.
Section 4. This act shall take effect in 180 days.

APPROVED--The 19th day of June, A.D. 2018.

TOM WOLF