

HOUSING AUTHORITIES LAW - ESTABLISHMENT OF RENTALS AND SELECTION
OF TENANTS AND VETERAN PREFERENCES

Act of Oct. 27, 2014, P.L. 2903, No. 188

Cl. 64

Session of 2014

No. 2014-188

SB 1135

AN ACT

Amending the act of May 28, 1937 (P.L.955, No.265), entitled, as amended, "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Planning Board, and certain other State officers and departments," further providing for establishment of rentals and selection of tenants; and providing for veteran preferences.

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

Section 1. Section 13 of the act of May 28, 1937 (P.L.955, No.265), referred to as the Housing Authorities Law, amended May 20, 1949 (P.L.1614, No.486), is amended to read:

Section 13. Establishment of Rentals and Selection of Tenants.--[An] **Subject to the preferences under section 13.2,** an Authority may rent or lease dwelling accommodations only to persons of low income and at rentals within their financial reach. It may rent or lease to a tenant a dwelling consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof without overcrowding. It shall not accept any person as a tenant in any housing project if the person or persons, who would occupy the dwelling, have an aggregate annual income in excess of six times the annual rental of the quarters to be furnished such person or persons. In computing rental for the purpose of selecting tenants, there shall be included in the rental the average annual cost, as determined by the Authority, to the occupants of heat, water, electricity, gas, cooking range, and other necessary services or facilities, whether or not the charge for such services and facilities is in fact included in the rental. Every Authority shall file a schedule of its rental charges for dwelling accommodations with the State Planning Board.

Nothing contained in this or the preceding section shall be construed as limiting the power of an Authority to vest in an obligee the right, in the event of a default by the Authority, to take possession of a housing project, or cause the appointment of a receiver thereof, or acquire title thereto through foreclosure proceedings, free from all the restrictions imposed by this or the preceding section.

Section 2. The act is amended by adding a section to read:

Section 13.2. Veteran Preferences.--(a) In selecting a tenant under section 13, an authority shall provide a preference for any active duty United States servicemember or veteran. The preference shall extend to:

(1) The household of which the servicemember or veteran is a member.

(2) The surviving household members of a deceased servicemember or veteran who died of service-connected causes, provided:

(i) The death occurred during active duty service or within five years of discharge from service.

(ii) The death occurred not more than five years from the date of application for housing.

(b) The preference established by this section shall be cumulative with any other preference allowed by the housing authority for which the applicant qualifies, so that servicemembers or veterans have priority over nonservicemembers and nonveterans within each preference category.

(c) Nothing in this section shall be construed to supersede:

(1) Any Federal law or regulation relating to or local preferences adopted pursuant to Federal law.

(2) Any Federal law or regulation concerning tenant eligibility and selection or local criteria adopted pursuant to Federal law.

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

APPROVED--The 27th day of October, A.D. 2014.

TOM CORBETT