

REAL AND PERSONAL PROPERTY (68 PA.C.S.) - AMENDMENT OF
DECLARATION

Act of Nov. 4, 2016, P.L. 1214, No. 162

Cl. 68

Session of 2016
No. 2016-162

SB 1282

AN ACT

Amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, further providing for amendment of declaration; in creation, alteration and termination of cooperatives, further providing for amendment of declaration; and, in creation, alteration and termination of planned communities, further providing for amendment of declaration.

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

Section 1. Sections 3219(c), 4216(c) and 5219(c) of Title 68 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3219. Amendment of declaration.

* * *

(c) Recording amendment.--**The following shall apply:**

(1) Every amendment to the declaration must be recorded in every county in which any portion of the condominium is located in the same records as are maintained for the recording of deeds of real property and shall be indexed in the name of the condominium in both the grantor and grantee index. An amendment is effective only upon recordation.

(2) **Except for counties which do not maintain a uniform parcel identifier number system of indexing, all counties shall assign a master parcel number to each condominium, and every amendment to the declaration shall be indexed against the master parcel. If required by the county, an amendment may be indexed against a parcel assigned to each unit within the condominium, but no fees shall be charged to each unit unless the indexing against each parcel is requested by the declarant or association.**

(3) **The provisions of this subsection shall control over any conflicting provisions in any other statute, regulation or ordinance.**

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§ 4216. Amendment of declaration.

* * *

(c) Recording amendment.--**The following shall apply:**

(1) Every amendment to the declaration must be recorded in every county in which any portion of the cooperative is located in the same records as are maintained for the recording of deeds of real property and is effective only upon recordation. In cases where the amendment is executed by the association, it shall be indexed in the name of the cooperative and the association in both the grantor and the grantee index. In cases where the amendment is executed by the declarant or one or more proprietary lessees, it shall be indexed in the grantee's index in the name of the cooperative and the association and in the grantor's index

in the name of the declarant or proprietary lessee or lessees, as well as in the name of the association.

(2) Except for counties which do not maintain a uniform parcel identifier number system of indexing, all counties shall assign a master parcel number to each cooperative, and every amendment to the declaration shall be indexed against the master parcel. If required by the county, an amendment may be indexed against a parcel assigned to each unit within the cooperative, but no fees shall be charged to each unit unless the indexing against each parcel is requested by the declarant or association.

(3) The provisions of this subsection shall control over any conflicting provisions in any other statute, regulation or ordinance.

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§ 5219. Amendment of declaration.

* * *

(c) Recording amendment.--The following shall apply:

(1) Every amendment to the declaration must be recorded in every county in which any portion of the planned community is located in the same records as are maintained for the recording of deeds of real property and shall be indexed in the name of the planned community in both the grantor and grantee index. An amendment is effective only upon recording.

(2) Except for counties which do not maintain a uniform parcel identifier number system of indexing, all counties shall assign a master parcel number to each planned community, and every amendment to the declaration shall be indexed against the master parcel. If required by the county, an amendment may be indexed against a parcel assigned to each unit within the planned community, but no fees shall be charged to each unit unless the indexing against each parcel is requested by the declarant or association.

(3) The provisions of this subsection shall control over any conflicting provisions in any other statute, regulation or ordinance.

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Section 2. This act shall take effect in 60 days.

APPROVED--The 4th day of November, A.D. 2016.

TOM WOLF