

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 861 Session of  
1997INTRODUCED BY MELLOW, MUSTO, WILLIAMS, KASUNIC, COSTA AND  
PICCOLA, APRIL 2, 1997SENATOR ULIANA, URBAN AFFAIRS AND HOUSING, AS AMENDED,  
MAY 6, 1997

## AN ACT

1 Providing for restrictions on purchases of real property in  
2 second class A cities.

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

5 Section 1. Restrictions on purchases.

6 (a) General rule.--Deeds for any real property exposed for  
7 any sale in a second class A city shall not be exchanged any  
8 sooner than ~~15~~ 20 days nor later than ~~30~~ 45 days after any sale. <—

9 (b) Petition.--A city of the second class A may, within 15  
10 days of any sale of real estate, petition the court of common  
11 pleas to prohibit the transfer of any deed for any property  
12 exposed for any sale which is located in that city to any  
13 purchaser who is proven to meet any of the criteria set forth in  
14 the city's petition.

15 (c) Criteria.--The petition of the city of the second class  
16 A shall, at a minimum, allege that the purchaser has over the  
17 last ~~five~~ THREE years exhibited a course of conduct which <—

1 demonstrates that the purchaser:

2 (1) permits AN uncorrected housing code ~~violations~~ <—  
3 VIOLATION to continue unabated after being convicted of ~~these~~ <—  
4 ~~violations~~ SUCH VIOLATION; <—

5 (2) fails to maintain the property owned by that  
6 purchaser in a reasonable manner SUCH THAT IT POSES A THREAT <—  
7 TO HEALTH, SAFETY OR PROPERTY;

8 (3) permits the use of property in an unsafe or  
9 unsanitary manner SUCH THAT IT POSES A THREAT TO HEALTH, <—  
10 SAFETY OR PROPERTY; or

11 (4) acts or has acted as an agent for a purchaser who  
12 seeks to avoid the limitations placed on the purchase of  
13 property by this act.

14 Allegations under this subsection shall be proved by a  
15 preponderance of the evidence.

16 (d) Definitions.--As used in this section, the following  
17 words and phrases shall have the meanings given to them in this  
18 subsection:

19 "Purchaser." Any individual, partner, shareholder, trust,  
20 partnership, limited partnership, corporation or any other  
21 business association, or any trust, partnership, limited  
22 partnership, corporation or any other business association that  
23 has any individual as part of the business association who had  
24 any ownership interest or rights in the property. A change of  
25 name or business status shall not defeat the purpose of this  
26 section.

27 "Uncorrected housing code ~~violations~~ VIOLATION." Any <—  
28 conviction of a violation of the housing code of a second class  
29 A city which is not remedied within six months of conviction.

30 "VIOLATION." ANY CONVICTION UNDER A HOUSING CODE WHICH POSES <—

1 A THREAT TO HEALTH, SAFETY OR PROPERTY, BUT NOT A CONVICTION  
2 DEEMED BY A COURT TO BE DE MINIMIS.

3 Section 2. Application.

4 This act shall apply to all sales conducted on or after  
5 ~~January 1, 1998~~ THE EFFECTIVE DATE OF THIS ACT. <—

6 Section 3. Effective date.

7 This act shall take effect in ~~30~~ 60 days. <—