

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 861 Session of  
1997INTRODUCED BY MELLOW, MUSTO, WILLIAMS, KASUNIC, COSTA AND  
PICCOLA, APRIL 2, 1997

AS AMENDED ON THIRD CONSIDERATION, JUNE 16, 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 TAX OR MUNICIPAL LIEN sale in a second class A city shall <—  
8 not be exchanged any sooner than 20 days nor later than 45 days  
9 after any sale.

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

16 (c) Criteria.--The petition of the city of the second class  
17 A shall, at a minimum, allege that the purchaser has over the

1 last three years PRECEDING THE FILING OF THE PETITION exhibited <—  
2 a course of conduct which demonstrates that the purchaser:  
3 (1) ~~permits~~ PERMITTED an uncorrected housing code <—  
4 violation to continue unabated after being convicted of such  
5 violation;  
6 (2) ~~fails~~ FAILED to maintain the property owned by that <—  
7 purchaser in a reasonable manner such that it ~~poses~~ POSED a <—  
8 threat to health, safety or property;  
9 (3) ~~permits~~ PERMITTED the use of property in an unsafe, <—  
10 ILLEGAL or unsanitary manner such that it ~~poses~~ POSED a <—  
11 threat to health, safety or property; or  
12 (4) ~~acts or has~~ acted as an agent for a purchaser who <—  
13 ~~seeks~~ SOUGHT to avoid the limitations placed on the purchase <—  
14 of property by this act.  
15 Allegations under this subsection shall be proved by a  
16 preponderance of the evidence.  
17 (d) Definitions.--As used in this section, the following  
18 words and phrases shall have the meanings given to them in this  
19 subsection:  
20 "Purchaser." Any individual, partner, shareholder, trust,  
21 partnership, limited partnership, corporation or any other  
22 business association, or any trust, partnership, limited  
23 partnership, corporation or any other business association that  
24 has any individual as part of the business association who had  
25 any ownership interest or rights in the property. A change of  
26 name or business status shall not defeat the purpose of this  
27 section.  
28 "Uncorrected housing code violation." Any conviction of a  
29 violation of the ~~housing~~ BUILDING, HOUSING, PROPERTY MAINTENANCE <—  
30 OR FIRE code of a second class A city which is not remedied

1 within six months of conviction.

2 "Violation." Any conviction under a ~~housing~~ BUILDING, <—

3 HOUSING, PROPERTY MAINTENANCE OR FIRE code which ~~poses~~ POSED a <—

4 threat to health, safety or property, but not a conviction

5 deemed by a court to be de minimis.

6 Section 2. Application.

7 This act shall apply to all sales conducted on or after the

8 effective date of this act.

9 Section 3. Effective date.

10 This act shall take effect in 60 days.