

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1684 Session of
2007

INTRODUCED BY PASHINSKI, BRENNAN, CALTAGIRONE, FRANKEL, LEACH,
MAHONEY, PALLONE, SHIMKUS, SIPTROTH, K. SMITH AND THOMAS,
JULY 3, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JULY 3, 2007

AN ACT

1 Amending the act of April 6, 1951 (P.L.69, No.20), entitled "An
2 act relating to the rights, obligations and liabilities of
3 landlord and tenant and of parties dealing with them and
4 amending, revising, changing and consolidating the law
5 relating thereto," further providing for recovery of
6 improperly held escrow funds.

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

9 Section 1. Section 512(a) and (b) of the act of April 6,
10 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of
11 1951, amended December 29, 1972 (P.L.1698, No.363), are amended
12 to read:

13 Section 512. Recovery of Improperly Held Escrow Funds.--(a)
14 Every landlord shall within thirty days of termination of a
15 lease or upon surrender and acceptance of the leasehold
16 premises, whichever first occurs, provide a tenant with a
17 written list of any damages and itemized amounts relative to
18 such damages to the leasehold premises for which the landlord
19 claims the tenant is liable. Delivery of the list shall be

1 accompanied by payment of the difference between any sum
2 deposited in escrow, including any unpaid interest thereon, for
3 the payment of damages to the leasehold premises and the actual
4 amount of damages to the leasehold premises caused by the
5 tenant. Nothing in this section shall preclude the landlord from
6 refusing to return the escrow fund, including any unpaid
7 interest thereon, for nonpayment of rent or for the breach of
8 any other condition in the lease by the tenant.

9 (b) Any landlord who fails to provide a written list of
10 damages and itemized amounts relative to such damages within
11 thirty days as required in subsection (a), above, shall forfeit
12 all rights to withhold any portion of sums held in escrow,
13 including any unpaid interest thereon, [or] and to bring suit
14 against the tenant for damages to the leasehold premises.

15 * * *

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