
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 963 Session of
2007

INTRODUCED BY GREENLEAF AND RAFFERTY, JUNE 11, 2007

REFERRED TO URBAN AFFAIRS AND HOUSING, JUNE 11, 2007

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 application of subpart relating to condominiums to
4 condominiums created by prior statutory law.

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

7 Section 1. Section 3102(b) of Title 68 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 3102. Applicability of subpart.

10 * * *

11 (b) Prior statutory law.--The provisions of the act of July
12 3, 1963 (P.L.196, No.117), known as the Unit Property Act, do
13 not apply to condominiums created after the effective date of
14 this subpart and do not invalidate any amendment to the
15 declaration, code of regulations or declaration plan of any
16 condominium created before the effective date of this subpart if
17 the amendment would be permitted by this subpart. The amendment
18 must be adopted in conformity with the procedures and

1 requirements specified by those instruments and by the
2 provisions of the Unit Property Act. If the amendment grants to
3 any person any rights, powers or privileges permitted by this
4 subpart, all correlative obligations, liabilities and
5 restrictions in this subpart also apply to that person. By
6 amendment to the declaration, code of regulations and
7 declaration plan, a condominium created pursuant to the Unit
8 Property Act may be made subject to all of the provisions of
9 this subpart in lieu of the provisions of the Unit Property Act,
10 effective as of the date of recordation of such amendments and
11 without in any way terminating the condominium status of the
12 property or in any way affecting any lien or encumbrance on the
13 property, if the terms of such amended documents conform to the
14 requirements of this subpart and if such amendments have been
15 approved by [all] 67% of the persons whose actions would have
16 been required to effect a removal of the property from the Unit
17 Property Act pursuant to section 601 thereof. No amendment of:

18 (1) the declaration, code of regulations or declaration
19 plan of a condominium created pursuant to the Unit Property
20 Act; or

21 (2) the declaration, bylaws or plats and plans of a
22 condominium created pursuant to this subpart;
23 may increase the obligations or responsibilities of a declarant
24 (as such and not as a unit owner) without the joinder of the
25 declarant in such amendment.

26 * * *

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