

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1526 Session of 2011

INTRODUCED BY SAYLOR, AUMENT, BOYD, COHEN, D. COSTA, CREIGHTON, DALEY, DAVIS, DONATUCCI, FARRY, FLECK, GILLESPIE, GINGRICH, HENNESSEY, HORNAMAN, KOTIK, LONGIETTI, MUNDY, MURT, PICKETT, SCAVELLO, VULAKOVICH, WAGNER AND WATSON, MAY 11, 2011

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MAY 11, 2011

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," providing for the collection of rent upon
 6 death.

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

9 Section 1. The act of April 6, 1951 (P.L.69, No.20), known
 10 as The Landlord and Tenant Act of 1951, is amended by adding a
 11 section to read:

12 Section 314. Collection of Rent upon Death.--

13 (a) Notwithstanding any other provision of this act or law,
 14 the term of the lease of a tenant who has died shall end on the
 15 later of:

16 (1) The last day of the calendar month that immediately
 17 follows the calendar month in which the tenant died.

18 (2) Upon surrender of the rental unit and removal of all of
 19 the tenant's personal property by the executor or administrator

1 of the deceased tenant's estate.

2 (b) If by the close of the calendar month that immediately
3 follows the calendar month in which the tenant died the executor
4 or administrator of the tenant's estate has not arranged to
5 continue the lease term and has not removed all of the tenant's
6 personal property, the landlord may dispose of the property and
7 the landlord shall have no further responsibility regarding the
8 property. The landlord shall not be liable to the deceased
9 tenant's estate for any damages relating to the disposal of the
10 property.

11 (c) Nothing under this section shall be construed to relieve
12 the deceased tenant's estate of liability for any expenses the
13 landlord incurs as a direct result of the tenant's death, such
14 as the cost of cleaning or restoring the premises. The deceased
15 tenant's estate shall be liable for any rent or damages that
16 were owed prior to the date of the tenant's death.

17 Section 2. The addition of section 314 of the act shall
18 apply to leases entered into or extended on or after the
19 effective date of this section.

20 Section 3. This act shall take effect in 60 days.