

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, WATSON, SCHRODER, SWANGER AND BOBACK, MAY 11, 2011

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 2, 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 OF A TENANT.



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~~

1 ~~the tenant's personal property by the executor or administrator~~
2 ~~of the deceased tenant's estate.~~

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

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

18 SECTION 514. DEATH OF TENANT.-- (A) NOTWITHSTANDING ANY ←
19 OTHER PROVISION OF THIS ACT OR LAW, AND IF THE DECEASED TENANT
20 IS THE SOLE TENANT OF THE RESIDENTIAL UNIT, THE EXECUTOR OR
21 ADMINISTRATOR OF THE ESTATE OF A TENANT WHO DIES DURING THE TERM
22 OF A RESIDENTIAL LEASE SHALL HAVE THE OPTION TO TERMINATE THE
23 LEASE UPON FOURTEEN DAYS' WRITTEN NOTICE TO THE LANDLORD ON THE
24 LATER OF:

25 (1) THE LAST DAY OF THE CALENDAR MONTH THAT IMMEDIATELY
26 FOLLOWS THE CALENDAR MONTH IN WHICH THE TENANT DIED; OR

27 (2) UPON SURRENDER OF THE RENTAL UNIT AND REMOVAL OF ALL OF
28 THE TENANT'S PERSONAL PROPERTY.

29 (B) NOTHING UNDER THIS SECTION SHALL BE CONSTRUED TO RELIEVE
30 THE TENANT'S ESTATE OF LIABILITY FOR RENT MONEY OR ANY OTHER

1 DEBT INCURRED PRIOR TO THE DATE OF TERMINATION OF THE LEASE,
2 INCLUDING ANY EXPENSES THE LANDLORD MAY INCUR AS A DIRECT RESULT
3 OF THE TENANT'S DEATH, EXCEPT THAT THE TENANT'S ESTATE SHALL NOT
4 BE LIABLE FOR DAMAGES OR ANY OTHER PENALTY FOR BREACH OR
5 INADEQUATE NOTICE AS A RESULT OF TERMINATING A LEASE UNDER
6 SUBSECTION (A).

7 Section 2. The addition of section ~~314~~ 514 of the act shall ←
8 apply to leases entered into or extended on or after the
9 effective date of this section.

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