

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2724 Session of 2012

INTRODUCED BY DEAN, COHEN, THOMAS, GEORGE, BISHOP, KORTZ,
JOSEPHS, M. O'BRIEN AND PARKER, OCTOBER 17, 2012

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 17, 2012

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 early termination of leases
6 by individuals with disabilities and senior citizens.

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 514. Early Termination of Leases by Individuals with
13 Disabilities and Senior Citizens.--(a) Notwithstanding any
14 other provision of this act or law, a tenant of a residential
15 unit who:

16 (1) has a disability or is a senior citizen; and

17 (2) is either:

18 (i) awaiting admission and subsequently moves to a health
19 care facility; or

20 (ii) needs to move and subsequently moves to a family

member's residence for the express purpose of receiving care
from a home health care agency for a period of no less than six
months
may terminate the lease prior to the date provided in the lease
by providing the landlord of the residential unit with the
information specified in subsection (b).

(b) The following information must be submitted to a
landlord:

(1) written notice delivered to the landlord informing the
landlord of the tenant's required admission and move to a health
care facility or need to move to a family member's residence for
the express purpose of receiving care from a home health care
agency for a period of no less than six months;

(2) certified documentation signed by a licensed physician
indicating that the tenant, due to medical reasons, is unable to
continue to live independently in the residential unit and
requires admission to a health care facility or needs to receive
care from a home health care agency for a period of no less than
six months; and

(3) if applicable, a notarized statement from the tenant's
family member attesting to the fact that the tenant is a
relative and will be moving into the family member's residence
to receive care from a home health care agency for a period of
no less than six months.

(c) Nothing under this section shall be construed to relieve
a tenant to which this section applies of liability for rent or
any other debt incurred under a lease prior to the termination
date provided in the lease.

(d) For the purposes of this section, the following words
shall have the meanings ascribed to them in this subsection

1 unless the context otherwise indicates:

2 "Disability." A physical or mental impairment that
3 substantially limits one or more major life activities.

4 "Health care facility." Any general, chronic disease or
5 other type of hospital, personal care home, home health care
6 agency, hospice or long-term care nursing facility.

7 "Senior citizen." Any person who has attained the age of 62
8 years of age or older, or will attain such age during the term
9 of an agreement in which the person is a tenant of a residential
10 unit.

11 Section 2. The provisions of this act shall only apply to
12 leases entered into or extended on or after the effective date
13 of this section.

14 Section 3. This act shall take effect immediately.