

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **1135** Session of
2014

INTRODUCED BY HUGHES, FERLO, KITCHEN, TEPLITZ, WASHINGTON,
BREWSTER, KASUNIC, FONTANA, ERICKSON, SMITH, VULAKOVICH,
BLAKE, WILEY, YUDICHAK, STACK, RAFFERTY, SCHWANK, GREENLEAF,
HUTCHINSON, SOLOBAY, COSTA, FARNESE AND BROWNE,
JANUARY 13, 2014

AS REPORTED FROM COMMITTEE ON URBAN AFFAIRS, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 15, 2014

AN ACT

1 Amending the act of May 28, 1937 (P.L.955, No.265), entitled, as
2 amended, "An act to promote public health, safety, morals,
3 and welfare by declaring the necessity of creating public
4 bodies, corporate and politic, to be known as housing
5 authorities to engage in slum clearance, and to undertake
6 projects, to provide dwelling accommodations for persons of
7 low income; providing for the organization of such housing
8 authorities; defining their powers and duties; providing for
9 the exercise of such powers, including the acquisition of
10 property by purchase, gift or eminent domain, the renting and
11 selling of property, and including borrowing money, issuing
12 bonds, and other obligations, and giving security therefor;
13 prescribing the remedies of obligees of housing authorities;
14 authorizing housing authorities to enter into agreements,
15 including agreements with the United States, the
16 Commonwealth, and political subdivisions and municipalities
17 thereof; defining the application of zoning, sanitary, and
18 building laws and regulations to projects built or maintained
19 by such housing authorities; exempting the property and
20 securities of such housing authorities from taxation; and
21 imposing duties and conferring powers upon the State Planning
22 Board, and certain other State officers and departments,"
23 further providing for establishment of rentals and selection
24 of tenants; and providing for veteran preferences.

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 Section 1. Section 13 of the act of May 28, 1937 (P.L.955,

1 No.265), referred to as the Housing Authorities Law, amended May
2 20, 1949 (P.L.1614, No.486), is amended to read:

3 Section 13. Establishment of Rentals and Selection of
4 Tenants.--[An] Subject to the preferences under section 13.2, an
5 Authority may rent or lease dwelling accommodations only to
6 persons of low income and at rentals within their financial
7 reach. It may rent or lease to a tenant a dwelling consisting of
8 the number of rooms (but no greater number) which it deems
9 necessary to provide safe and sanitary accommodations to the
10 proposed occupants thereof without overcrowding. It shall not
11 accept any person as a tenant in any housing project if the
12 person or persons, who would occupy the dwelling, have an
13 aggregate annual income in excess of six times the annual rental
14 of the quarters to be furnished such person or persons. In
15 computing rental for the purpose of selecting tenants, there
16 shall be included in the rental the average annual cost, as
17 determined by the Authority, to the occupants of heat, water,
18 electricity, gas, cooking range, and other necessary services or
19 facilities, whether or not the charge for such services and
20 facilities is in fact included in the rental. Every Authority
21 shall file a schedule of its rental charges for dwelling
22 accommodations with the State Planning Board.

23 Nothing contained in this or the preceding section shall be
24 construed as limiting the power of an Authority to vest in an
25 obligee the right, in the event of a default by the Authority,
26 to take possession of a housing project, or cause the
27 appointment of a receiver thereof, or acquire title thereto
28 through foreclosure proceedings, free from all the restrictions
29 imposed by this or the preceding section.

30 Section 2. The act is amended by adding a section to read:

1 Section 13.2. Veteran Preferences.--(A) In selecting a <--
2 tenant under section 13, an authority shall give preference as <--
3 follows:

4 (a) First preference shall be given to homeless veterans.

5 (b) Second preference shall be given to disabled veterans or
6 families of disabled veterans whose disabilities have been
7 determined by the United States Veterans Administration to be
8 service connected.

9 (c) Third preference shall be given to families of deceased
10 veterans and servicemen whose deaths have been determined by the
11 United States Veterans Administration to be service connected.

12 (d) Fourth preference shall be given to other veterans or
13 servicemen or families of other veterans or servicemen. PROVIDE <--
14 A PREFERENCE FOR ANY ACTIVE DUTY UNITED STATES SERVICEMEMBER OR
15 VETERAN. THE PREFERENCE SHALL EXTEND TO:

16 (1) THE HOUSEHOLD OF WHICH THE SERVICEMEMBER OR VETERAN IS A
17 MEMBER.

18 (2) THE SURVIVING HOUSEHOLD MEMBERS OF A DECEASED
19 SERVICEMEMBER OR VETERAN WHO DIED OF SERVICE-CONNECTED CAUSES,
20 PROVIDED:

21 (I) THE DEATH OCCURRED DURING ACTIVE DUTY SERVICE OR WITHIN
22 FIVE YEARS OF DISCHARGE FROM SERVICE.

23 (II) THE DEATH OCCURRED NOT MORE THAN FIVE YEARS FROM THE
24 DATE OF APPLICATION FOR HOUSING.

25 (B) THE PREFERENCE ESTABLISHED BY THIS SECTION SHALL BE
26 CUMULATIVE WITH ANY OTHER PREFERENCE ALLOWED BY THE HOUSING
27 AUTHORITY FOR WHICH THE APPLICANT QUALIFIES, SO THAT
28 SERVICEMEMBERS OR VETERANS HAVE PRIORITY OVER NONSERVICEMEMBERS
29 AND NONVETERANS WITHIN EACH PREFERENCE CATEGORY.

30 (C) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO SUPERSEDE:

1 (1) ANY FEDERAL LAW OR REGULATION RELATING TO OR LOCAL
2 PREFERENCES ADOPTED PURSUANT TO FEDERAL LAW.

3 (2) ANY FEDERAL LAW OR REGULATION CONCERNING TENANT
4 ELIGIBILITY AND SELECTION OR LOCAL CRITERIA ADOPTED PURSUANT TO
5 FEDERAL LAW.

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