

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 975 Session of 2015

INTRODUCED BY DEAN, V. BROWN, FREEMAN, MACKENZIE, BROWNLEE, KOTIK, DAVIS, KINSEY, SCHREIBER, THOMAS, DeLUCA, YOUNGBLOOD, McNEILL, COHEN, SCHWEYER, O'BRIEN, McCARTER, CALTAGIRONE, FABRIZIO, W. KELLER, SIMS, KORTZ, SABATINA, ACOSTA, FRANKEL, GIBBONS, HENNESSEY, TOOHL, EVERETT, MALONEY, O'NEILL, D. COSTA, DEASY, KIM AND J. HARRIS, APRIL 15, 2015

REFERRED TO COMMITTEE ON URBAN AFFAIRS, APRIL 15, 2015

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," in recovery of possession, providing for  
6 early termination of leases by individuals with disabilities  
7 and senior citizens.

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

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

13 Section 514. Early Termination of Leases by Individuals with  
14 Disabilities and Senior Citizens.--(a) Notwithstanding any  
15 other provision of this act or law, a tenant of a residential  
16 unit may terminate the lease prior to the date provided in the  
17 lease by providing the landlord of the residential unit with the  
18 information specified in subsection (b) if the tenant:

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

2 (2) is either:

3 (i) awaiting admission and subsequently moves to a health  
4 care facility; or

5 (ii) needs to move and subsequently moves to a family  
6 member's residence for the express purpose of receiving care  
7 from a home health care agency for a period of no less than six  
8 months.

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

11 (1) written notice delivered to the landlord sixty days  
12 prior to the proposed early termination date informing the  
13 landlord of the tenant's required admission and move to a health  
14 care facility or need to move to a family member's residence for  
15 the express purpose of receiving care from a home health care  
16 agency for a period of no less than six months;

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

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

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

1 date provided in the lease.

2 (d) For the purposes of this section, the following words  
3 shall have the meanings ascribed to them in this subsection  
4 unless the context otherwise indicates:

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

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

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

14 Section 2. The provisions of this act shall only apply to  
15 leases entered into or extended on or after the effective date  
16 of this section.

17 Section 3. This act shall take effect immediately.