

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2008 Session of 2015

INTRODUCED BY SONNEY, BAKER, BOBACK, V. BROWN, D. COSTA, DAY AND SAYLOR, APRIL 21, 2016

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 19, 2016

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 tenement buildings and multiple
6 dwelling premises, providing for notification prior to lease
7 of single-family dwelling, apartment, multiple dwelling
8 premises or tenement building where methamphetamine was
9 produced.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

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

15 Section 506-A. Notification Prior to Lease of Single-Family
16 Dwelling, Apartment, Multiple Dwelling Premises or Tenement
17 Building Where Methamphetamine Was Produced.--(a) If the
18 landlord of a single-family dwelling, apartment, multiple
19 dwelling premises or tenement building has actual knowledge that
20 an apartment or dwelling unit was previously used as a
21 methamphetamine lab, the landlord shall provide written notice

1 to a prospective tenant indicating that the apartment or
2 dwelling unit was previously used as methamphetamine lab. Notice
3 under this subsection shall be in accordance with the following:

4 (1) The notice shall be provided prior to the execution by
5 the tenant of a written lease agreement or, in the case of an
6 oral lease agreement, prior to occupancy by the tenant.

7 (2) In the case of a written lease agreement, the notice
8 shall be attached to the lease agreement.

9 (b) Any tenant who is not provided the notice required by
10 subsection (a) may terminate the lease agreement at any time
11 within sixty days of discovery that the apartment or dwelling
12 unit was previously used as a methamphetamine lab by providing
13 written notice to the landlord in accordance with the lease or
14 as otherwise required by law. Termination of a lease agreement
15 under this subsection shall be in accordance with the following:

16 (1) Termination shall be effective on the later of:

17 (i) fifteen days after the date of the mailing of the notice
18 under ~~subsection (a)~~ THIS SUBSECTION; or <--

19 (ii) the date through which rent has been paid.

20 (2) In no event shall the effective date of the termination
21 exceed one month from the date of mailing of the notice under
22 ~~subsection (a)~~ THIS SUBSECTION. <--

23 (3) Following termination of the lease in compliance with
24 this section, no further rent shall be charged to the tenant.

25 (4) Termination shall be the exclusive remedy for the
26 failure of a landlord to comply with the disclosure provisions
27 required by this section.

28 (c) As used in this section, the term "methamphetamine lab"
29 shall mean an area where methamphetamine, or its immediate
30 precursors, have been or were attempted to be manufactured,

1 processed, cooked, disposed of or stored and all proximate areas
2 likely to be contaminated as a result of such manufacturing,
3 processing, cooking, disposing or storing.

4 Section 2. This act shall take effect in 60 days.