THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 328   Session of 2021

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2   Consolidated Statutes, in Commonwealth services, providing
3   for rent recovery during COVID-19 disaster emergency.

4   The General Assembly of the Commonwealth of Pennsylvania

5 hereby enacts as follows:

6   Section 1. Title 35 of the Pennsylvania Consolidated

7 Statutes is amended by adding a section to read:

8 § 7309. Rent recovery during COVID-19 disaster emergency.

9   (a) Payment plan.--Notwithstanding any other provision of

10 law, a landlord may not begin eviction proceedings during the

11 COVID-19 disaster emergency for a tenant without implementing a

12 rent payment plan in accordance with this section. A landlord

13 shall implement a rent payment plan for a tenant who is unable

14 to pay rent during the COVID-19 disaster emergency, if the

15 tenant provides documentation of any of the following to the

16 landlord:

17   (1) The tenant is experiencing a full or partial loss of

1 income or a reduction in working hours due to a COVID-19-

2 related business closure.

3   (2) The tenant is currently receiving unemployment

4 compensation benefits or received unemployment compensation

5 benefits during any period of the COVID-19 disaster

6 emergency.

7   (3) The tenant is unable to safely return to work due to

8 a medical condition that places the tenant at an increased

9 risk for COVID-19.

10   (4) The tenant has contracted or is recovering from

11 COVID-19.

12   (5) The tenant is the primary caregiver for a household

13 member who is at risk of contracting, has contracted or is

14 recovering from COVID-19.

15   (6) The tenant is unable to continue employment because

16 the tenant is the primary caregiver for a child whose school

17 or child care facility has physically closed due to COVID-19.

18 (b) Amount of payment.--A rent payment plan under this

19 section shall include the total amount of rent due during the

20 COVID-19 disaster emergency divided over a 12-month period.

21 (c) Fees prohibited.--A landlord may not assess fees or

22 other penalties for late rent payments or late payments under a

23 rent payment plan under this section during the COVID-19

24 disaster emergency.

25 (d) Eviction proceeds.--If a tenant fails to make four

26 consecutive payments under a rent payment plan under this

27 section, the landlord may initiate eviction proceedings.

28 (e) Notice of payment plan.--After a missed rent payment

29 during the COVID-19 disaster emergency, a landlord shall notify

30 a tenant of the tenant's ability to enter into a rent payment

1 plan under this section. The notice under this subsection may be

2 provided electronically or via certified mail to the tenant.

3   (f) Expiration.--This section shall expire six months after

4 the expiration or termination of the COVID-19 disaster emergency

5 by executive order, proclamation or operation of law.

6   (g) Definitions.--As used in this section, the following

7 words and phrases shall have the meanings given to them in this

8 subsection unless the context clearly indicates otherwise:

9   "COVID-19." The coronavirus disease 2019, an infectious

10 disease caused by severe acute respiratory syndrome coronavirus

11 2 that was first identified during December 2019 in Wuhan,

12 China.

13   "COVID-19 disaster emergency." The proclamation of disaster

14 emergency issued by the Governor on March 6, 2020, published at

15 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of

16 disaster emergency.

17   Section 2. This act shall take effect immediately.