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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1775 Session of  
2021

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INTRODUCED BY RIGBY AND SCHMITT, AUGUST 11, 2021

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REFERRED TO COMMITTEE ON URBAN AFFAIRS, AUGUST 11, 2021

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AN ACT

1 Amending the act of December 20, 2000 (P.L.724, No.99), entitled  
2 "An act requiring purchasers of real estate with buildings  
3 thereon to bring the buildings into compliance with municipal  
4 codes; providing for nuisance abatement; and imposing  
5 penalties," further providing for definitions and for  
6 compliance requirement.

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

9 Section 1. The definitions of "municipality," "temporary  
10 access certificate" and "use and occupancy certificate" in  
11 section 2 of the act of December 20, 2000 (P.L.724, No.99),  
12 known as the Municipal Code and Ordinance Compliance Act, are  
13 amended to read:

14 Section 2. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 \* \* \*

19 "Municipality." Any of the following:

20 (1) Any city, borough, incorporated town, township, home

1 rule municipality, optional plan municipality, optional  
2 charter municipality or any similar general purpose unit of  
3 government which may be created or authorized by statute.

4 (2) An authority or instrumentality of a unit of  
5 government specified under paragraph (1).

6 \* \* \*

7 "Temporary access certificate." A certificate issued by a  
8 municipality as a result of the municipal inspection of a  
9 property incident to the resale of the property that identifies  
10 at least one substantial violation, and the purpose of the  
11 certificate is to authorize the purchaser to access the property  
12 for the purpose of correcting substantial violations pursuant to  
13 the maintenance and repair provisions of this act. No [person]  
14 new occupant who has not previously occupied a property may  
15 [occupy a] inhabit the property during the term of a temporary  
16 access certificate, but [the] tenants, in the case of a tenant-  
17 occupied property, already occupying the property may remain in  
18 the property at the discretion of code enforcement based on  
19 human habitability and may withhold rent under the act of  
20 January 24, 1966 (1965 P.L.1534, No.536), referred to as the  
21 City Rent Withholding Act. The owner shall be permitted to store  
22 personalty that is related to the proposed use or occupancy of  
23 the property or is needed to repair the substantial violations  
24 during the time of the temporary access certificate.

25 \* \* \*

26 "Use and occupancy certificate." A certificate issued by a  
27 municipality stipulating that the property meets [all]  
28 ordinances and codes and may be used or occupied as intended.

29 \* \* \*

30 Section 2. Section 3(a) and (a.2)(2) of the act are amended

1 to read:

2 Section 3. Compliance requirement.

3 (a) General rule.--Within 12 months of the date of purchase,  
4 the purchaser of a property known to be in violation or  
5 substantial violation of a municipal code or ordinance shall, at  
6 his option, either:

7 (1) bring the property into compliance with municipal  
8 codes or ordinances; or

9 (2) demolish the building or structure in accordance  
10 with law.

11 \* \* \*

12 (a.2) Reinspection of property.--

13 \* \* \*

14 (2) If a temporary access permit has been issued and  
15 reinspection indicates that the noted substantial violations  
16 have been corrected and no other substantial violations that  
17 make the property unfit for human habitation are noticed, but  
18 other cited violations have not yet been corrected, the  
19 municipality shall issue a temporary use and occupancy permit  
20 to be valid for the time remaining on the original temporary  
21 access permit.

22 \* \* \*

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