

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1163 Session of 2023

INTRODUCED BY SALISBURY, MADDEN, BRENNAN, SANCHEZ, HILL-EVANS, BOROWSKI, KINKEAD, GALLAGHER, ABNEY, MULLINS, McANDREW, TAKAC, FLEMING, SAMUELSON, WAXMAN, PIELLI, PISCIOTTANO, SMITH-WADE-EL, PARKER, DONAHUE, T. DAVIS, PROBST, KAZEEM, KHAN AND MERSKI, MAY 18, 2023

AS REPORTED FROM COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 13, 2023

AN ACT

1 Amending Title 68 (Real and Personal Property) of the
2 Pennsylvania Consolidated Statutes, in land banks, providing
3 for municipal acquisition of real property.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 68 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 2122. Municipal acquisition of real property.

9 (a) Authorization.--A municipality may authorize a land bank
10 to acquire and redevelop real property if all of the following
11 apply:

12 ~~(1) The property is abandoned, vacant or blighted for <--~~
13 ~~five consecutive years or has been declared a nuisance~~
14 ~~property by the municipality for five consecutive years.~~

15 (1) THE PROPERTY: <--

16 (I) IS ABANDONED OR VACANT AND BLIGHTED, EXCEPT FOR

1 UNIMPROVED LAND, FOR FIVE CONSECUTIVE YEARS; OR
2 (II) IS ABANDONED OR VACANT AND HAS BEEN DECLARED A
3 NUISANCE PROPERTY BY THE MUNICIPALITY FOR FIVE
4 CONSECUTIVE YEARS.

5 (2) The property has a record of building code
6 violations or has been in SERIOUS violation of municipal <--
7 ordinances, including tax delinquency.

8 (3) The municipality has attempted at least three
9 notifications BY MAIL, INCLUDING THE FIRST NOTIFICATION BY <--
10 CERTIFIED MAIL, to the owner of the property to remediate the
11 building code violations or ordinance violations.

12 (b) Notification.--If the abandonment~~7~~ OR vacancy ~~or~~ AND <--
13 blight of the property continues after the requirements of
14 subsection (a) (1), (2) and (3) have been established, the
15 municipality shall notify the owner of the property by certified
16 mail that the property is subject to be designated as available
17 for acquisition through a land bank due to abandonment~~7~~ OR <--
18 vacancy ~~or~~ AND blight. Ninety days after the notification under <--
19 this subsection has been delivered and if the owner has not
20 requested an appeal hearing, the municipality may designate the
21 property as available for acquisition through a land bank.
22 Notification under this subsection shall include information on
23 the appeal process established under subsection (c).

24 (c) Appeal.--An owner of a property may appeal the
25 designation of the property as available for acquisition through
26 a land bank. A municipality shall provide a property owner a
27 hearing. A municipality may:

28 (1) Grant an appeal if the owner of a property provides
29 the municipality with a plan for the use or redevelopment of
30 the property 30 days prior to an appeal hearing. The plan for

1 use or redevelopment shall include a timeline for
2 redevelopment, including scheduled dates when phases of the
3 redevelopment are planned to be completed, the proposed final
4 completion date, other information regarding the future plans
5 for the property and at least one of the following:

6 (i) actual or pending financing for redevelopment;

7 (ii) architectural drawings for redevelopment; or

8 (iii) a contract with a real estate developer,
9 contractor or other professional for use or redevelopment
10 of the property.

11 (2) If an appeal is granted and a redevelopment plan is
12 implemented, inspect a property at any time to ensure that
13 the redevelopment plan is being implemented. If an inspection
14 provides evidence that, without just cause, the redevelopment
15 plan is not being implemented or is failing to meet the
16 scheduled dates when phases of the redevelopment are planned
17 to be completed, the municipality may revoke the appeal and
18 designate the property as available for acquisition through a
19 land bank.

20 (3) If an owner provides evidence that an extension to a
21 redevelopment plan is warranted, grant extensions to the plan
22 in no more than six-month increments or designate the
23 property as available for acquisition through a land bank.

24 (d) Acquisition.--Following the designation of real property
25 as available for acquisition through a land bank, a land bank
26 may acquire the property under section 2109 (relating to
27 acquisition of property).

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