

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1549 Session of 2023

INTRODUCED BY MADSEN, SMITH-WADE-EL, MADDEN, HILL-EVANS, WAXMAN, McNEILL, KAZEEM, PIELLI, ABNEY, KINSEY, BURGOS, SANCHEZ, SCOTT, CEPEDA-FREYTIZ, KIM, INNAMORATO, DELLOSO, HOWARD, GUENST, GREEN, FIEDLER, OTTEN, KHAN AND KRAJEWSKI, JUNE 29, 2023

AS REPORTED FROM COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 18, 2024

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, further providing for landlord's duties;
7 and providing for tenant relocation payments. <--

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

10 Section 1. Section 502-A of the act of April 6, 1951
11 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951,
12 is amended to read:

13 Section 502-A. Landlord's Duties.--The following:

14 (1) The retention of control of the stairways, passages,
15 roadways and other common facilities of a tenement building or
16 multiple dwelling premises places upon the landlord, or other
17 possessor, the duty of reasonable care for safety in use. This
18 responsibility of the landlord extends not alone to the

1 individual tenant, but also to his family, servants and
2 employees, business visitors, social guests, and the like. Those
3 who enter in the right of the tenant, even though under his mere
4 license, make a permissible use of the premises for which the
5 common ways and facilities are provided.

6 (2) It is the duty of the landlord to provide a tenant a
7 safe, clean and habitable dwelling. <--

8 Section 2. The act is amended by adding an article to read:

9 ARTICLE V-C

10 TENANT RELOCATION PAYMENTS <--

11 Section 501-C. Definitions.

12 The following words and phrases when used in this article
13 shall have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Displaced tenant." A temporarily displaced tenant or a
16 permanently displaced tenant.

17 "Permanently displaced tenant." A tenant that is required to
18 AND DOES vacate rental housing for 30 60 days or more because <--
19 the rental housing is condemned as unfit for human habitation by
20 a municipality or determined to be uninhabitable by another
21 governmental entity with oversight of the property through no
22 fault of the tenant.

23 "Temporarily displaced tenant." A tenant that is required to
24 AND DOES vacate rental housing for less than 30 60 days because <--
25 the rental housing is condemned as unfit for human habitation by
26 a municipality or determined to be uninhabitable by another
27 governmental entity with oversight of the property through no
28 fault of the tenant.

29 Section 502-C. Temporary displacement.

30 For a temporarily displaced tenant, within 24 hours of the <--

1 ~~posting of condemnation on the rental housing, a landlord shall~~
2 ~~provide the following:~~

3 ~~(1) Alternative, safe and legal comparable housing for~~
4 ~~the temporarily displaced tenant and the temporarily~~
5 ~~displaced tenant's belongings for the full temporary~~
6 ~~displacement period. A temporary displacement period shall~~
7 ~~not exceed 30 days.~~

8 ~~(2) A relocation payment equal to one month's fair~~
9 ~~market value rent for a unit of comparable size as~~
10 ~~established by the most recent United States Department of~~
11 ~~Housing and Urban Development schedule for fair market rents~~
12 ~~for the zip code of the tenant. The relocation payment shall~~
13 ~~be paid to the tenant by check or money order.~~

14 ~~(3) Payment for the costs of the immediate relocation of~~
15 ~~the temporarily displaced tenant and the tenant's belongings.~~

16 ~~(4) At the end of a temporary displacement period,~~
17 ~~payment for the costs to move the temporarily displaced~~
18 ~~tenant and the temporarily displaced tenant's belongings back~~
19 ~~to the tenant's original rental housing.~~

20 ~~(5) If a temporarily displaced tenant returns to the~~
21 ~~tenant's original housing, all lease provisions, including~~
22 ~~provisions regarding the length of the lease term and the~~
23 ~~amount of rent due at the time of the displacement shall~~
24 ~~remain in place for the remainder of the lease in effect at~~
25 ~~the time of the tenant's displacement.~~

26 ~~(A) GENERAL RULE.--FOR A TEMPORARILY DISPLACED TENANT, A~~ <--
27 ~~LANDLORD SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION WITHIN~~
28 ~~60 HOURS OF THE POSTING OF CONDEMNATION ON THE RENTAL HOUSING.~~

29 ~~(B) ALTERNATIVE OFFER FROM LANDLORD.--~~

30 ~~(1) FOR A TEMPORARILY DISPLACED TENANT, A LANDLORD MAY~~

1 OFFER ANY ALTERNATIVE AVAILABLE DWELLING UNIT OF COMPARABLE
2 SIZE AND RENTAL PRICE FOR THE TEMPORARILY DISPLACED TENANT
3 AND THE TEMPORARILY DISPLACED TENANT'S BELONGINGS FOR THE
4 FULL TEMPORARILY DISPLACED PERIOD.

5 (2) A TEMPORARY DISPLACEMENT PERIOD SHALL NOT EXCEED 60
6 DAYS.

7 (3) IF A DISPLACED TENANT ACCEPTS A LANDLORD'S OFFER OF
8 AN AVAILABLE DWELLING UNIT UNDER THIS SUBSECTION FOR THE
9 REMAINDER OF THE TEMPORARY DISPLACEMENT PERIOD, THE LANDLORD
10 SHALL HAVE NO OTHER REQUIREMENTS UNDER THIS ARTICLE.

11 (C) MOVEMENT OF TENANT'S BELONGINGS.--

12 (1) AT THE BEGINNING OF A TEMPORARY DISPLACEMENT PERIOD,
13 A LANDLORD SHALL EITHER:

14 (I) PROVIDE PAYMENT FOR THE COSTS OF THE IMMEDIATE
15 RELOCATION OF THE TEMPORARILY DISPLACED TENANT AND THE
16 TENANT'S BELONGINGS; OR

17 (II) WITH THE TENANT'S WRITTEN APPROVAL, MOVE THE
18 TENANT'S BELONGINGS AT LANDLORD'S EXPENSE.

19 (2) AT THE END OF A TEMPORARY DISPLACEMENT PERIOD, A
20 LANDLORD SHALL EITHER:

21 (I) PROVIDE PAYMENT FOR THE COSTS TO MOVE THE
22 TEMPORARILY DISPLACED TENANT AND THE TEMPORARILY
23 DISPLACED TENANT'S BELONGINGS BACK TO THE TENANT'S
24 ORIGINAL RENTAL HOUSING; OR

25 (II) WITH THE TENANT'S WRITTEN APPROVAL, MOVE THE
26 TENANT'S BELONGINGS.

27 (D) LEASE TERMS.--IF A TEMPORARILY DISPLACED TENANT RETURNS
28 TO THE TENANT'S ORIGINAL HOUSING, ALL LEASE PROVISIONS,
29 INCLUDING PROVISIONS REGARDING THE LENGTH OF THE LEASE TERM AND
30 THE AMOUNT OF RENT DUE AT THE TIME OF THE DISPLACEMENT SHALL

1 REMAIN IN PLACE FOR THE REMAINDER OF THE LEASE IN EFFECT AT THE
2 TIME OF THE TENANT'S DISPLACEMENT.

3 Section 503-C. Permanent displacement.

4 Once a tenant has been displaced for more than 30 60 days, <--
5 the tenant shall be considered a permanently displaced tenant.

6 Within 72 hours of the 30th 60TH day of displacement, the <--
7 landlord shall pay, by check or money order, the following to a
8 permanently displaced tenant:

9 (1) The permanently displaced tenant's security deposit
10 with interest. If interest is not stated in a lease, the <--
11 interest rate shall be 5%.

12 (2) Any pro rata rent for the remainder of the month.

13 ~~(3) Either six months' fair market value rent for a unit~~ <--
14 ~~of comparable size, as established by the most recent United~~
15 ~~States Department of Housing and Urban Development schedule~~
16 ~~for fair market rents for the zip code of the rental housing~~
17 ~~being vacated or six months of the permanently displaced~~
18 ~~tenant's rent under the lease at the time of displacement,~~
19 ~~whichever is greater.~~

20 Section 504 C. Alternative agreement.

21 ~~Notwithstanding a relocation payment required under this~~
22 ~~article, a landlord and a displaced tenant may agree to an~~
23 ~~alternative arrangement if the alternative agreement is of equal~~
24 ~~benefit to the displaced tenant and is evidenced by a signed~~
25 ~~written agreement between the displaced tenant and the landlord.~~
26 ~~The written agreement detailing the alternative arrangement must~~
27 ~~contain:~~

28 ~~(1) The names of current occupants of the condemned~~
29 ~~rental housing.~~

30 ~~(2) The address of the condemned rental housing.~~

1 ~~(3) A statement indicating the amount of the relocation~~
2 ~~payment to which the tenant is entitled under section 502-C~~
3 ~~or 503-C.~~

4 ~~(4) A statement that the tenant has waived the right to~~
5 ~~a relocation payment.~~

6 ~~(5) A description of the alternative arrangement.~~

7 ~~(6) The address, if known, of the location to which the~~
8 ~~tenant plans to move.~~

9 (3) IF THE PERMANENTLY DISPLACED TENANT HAD UNPAID DEBTS <--
10 OR ARREARAGES OWED TO THE LANDLORD PRIOR TO THE RENTAL
11 HOUSING BECOMING UNINHABITABLE, A LANDLORD MAY USE THE
12 SECURITY DEPOSIT TO RECOUP THE UNPAID DEBTS OR ARREARAGES.
13 THE REMAINDER OF THE SECURITY DEPOSIT, AFTER THE UNPAID DEBT
14 OR ARREARAGE HAS BEEN COLLECTED WITH INTEREST, SHALL BE
15 RETURNED TO THE PERMANENTLY DISPLACED TENANT AS REQUIRED
16 UNDER PARAGRAPH (1).

17 SECTION 504-C. LANDLORD TENANT AGREEMENT.

18 A LANDLORD AND A DISPLACED TENANT MAY AGREE TO AN
19 ARRANGEMENT, INCLUDING:

20 (1) THE TENANT SHALL HAVE THE FIRST RIGHT OF REFUSAL
21 WHEN THE ORIGINAL RENTAL HOUSING IS MADE HABITABLE.

22 (2) A LANDLORD MAY OFFER TO A DISPLACED TENANT ANY
23 AVAILABLE DWELLING UNIT OF COMPARABLE SIZE AND RENTAL PRICE
24 FOR THE REMAINDER OF THE LEASE PERIOD. IF THE TENANT ACCEPTS
25 AN ARRANGEMENT OF THE DWELLING UNIT UNDER THIS PARAGRAPH, THE
26 LANDLORD SHALL HAVE NO OTHER REQUIREMENTS UNDER THIS ARTICLE.

27 (3) A LANDLORD MAY OFFER TO A DISPLACED TENANT TO BE
28 RELEASED FROM THE REQUIREMENTS OF THE WRITTEN LEASE EARLY IF
29 THE RENTAL HOUSING WILL NOT BE MADE HABITABLE BY THE END OF
30 THE ORIGINAL LEASE AGREEMENT. IF A DISPLACED TENANT AGREES TO

1 BEING RELEASED FROM THE LEASE EARLY, IN WRITING, A LANDLORD
2 SHALL HAVE NO OTHER REQUIREMENTS UNDER THIS ARTICLE.

3 Section 505-C. Proof of compliance.

4 Within five days after a tenant vacates the rental housing, a
5 landlord shall provide the local housing authority or
6 municipality with a copy of the check or money order provided to <--
7 the displaced tenant and a receipt signed by the displaced
8 tenant. If an alternative arrangement is agreed upon between the
9 displaced tenant and the landlord, the landlord shall provide
10 the local housing authority or municipality with a copy of the
11 signed written agreement LETTER STATING THAT THE LANDLORD AND <--
12 THE TENANT HAVE REACHED AN AGREEMENT.

13 Section 506-C. First right to reoccupy.

14 A landlord shall provide a permanently displaced tenant with
15 the first right to reoccupy rental housing once the rental
16 housing becomes habitable and is compliant with all municipal
17 codes. The following shall apply:

18 (1) A landlord shall provide a permanently displaced
19 tenant with written notice of the tenant's first right to
20 reoccupy.

21 (2) The notice provided by the landlord shall include
22 the landlord's current address and telephone number which the
23 permanently displaced tenant can use to contact the landlord.

24 (3) It is the responsibility of the permanently
25 displaced tenant to provide the landlord with the permanently
26 displaced tenant's current address and telephone number to be
27 used for future notification.

28 (4) When the rental unit becomes habitable, the landlord
29 shall give written notice by certified mail to the
30 permanently displaced tenant informing the tenant that the

1 rental housing is habitable and ready to be occupied.

2 ~~(5) If the landlord cannot locate a previous permanently <--~~
3 ~~displaced tenant after two attempts over a two month period,~~
4 ~~the second attempt must occur 30 days after the first~~
5 ~~attempt, the landlord is deemed to be in compliance with the~~
6 ~~provisions of this section and the tenant's first right to~~
7 ~~reoccupy is forfeited.~~

8 ~~(6) (5) A permanently displaced tenant shall notify a <--~~
9 ~~landlord of the tenant's intent to reoccupy the rental~~
10 ~~housing no later than 15 FIVE days after the second attempt <--~~
11 ~~to notify RECEIPT OF THE CERTIFIED LETTER NOTIFYING the <--~~
12 ~~tenant that the rental housing is ready to be occupied.~~

13 ~~(7) (6) A permanently displaced tenant must reoccupy the <--~~
14 ~~rental housing within 30 days after the tenant notifies the~~
15 ~~landlord of the tenant's intent to reoccupy the rental~~
16 ~~housing.~~

17 ~~(8) (7) A permanently displaced tenant may waive the <--~~
18 ~~right to reoccupy the rental housing at any time after~~
19 ~~displacement from the rental housing.~~

20 Section 507 C. Exception. <--

21 ~~A landlord shall not be required to provide a relocation~~
22 ~~payment or first right to reoccupy if it is deemed by the~~
23 ~~municipality that the rental housing is condemned due to events~~
24 ~~that are beyond the control of the landlord. This section shall~~
25 ~~not be applicable if the condemnation was a result of lack of~~
26 ~~maintenance, neglect or other preventable action that could have~~
27 ~~been taken by the landlord.~~

28 Section 508 C. Applicability.

29 ~~This article shall not apply to a landlord that resides in~~
30 ~~this Commonwealth and operates less than five residential~~

1 dwelling units within this Commonwealth.

2 SECTION 507-C. APPLICABILITY.

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3 THIS ARTICLE SHALL NOT APPLY TO EITHER OF THE FOLLOWING:

4 (1) A LANDLORD OR MANAGING AGENT WHO:

5 (I) RESIDES IN THIS COMMONWEALTH AND OPERATES LESS
6 THAN 15 RESIDENTIAL DWELLING UNITS WITHIN THIS
7 COMMONWEALTH;

8 (II) EMPLOYS AN ON-SITE PROPERTY MANAGEMENT TEAM
9 WITHIN THIS COMMONWEALTH;

10 (III) EMPLOYS AN ON-SITE PROPERTY MAINTENANCE TEAM
11 WITHIN THIS COMMONWEALTH; OR

12 (IV) HAS ENTERED INTO AN AGREEMENT WITH A THIRD-
13 PARTY PROPERTY MANAGEMENT COMPANY OR PROPERTY MAINTENANCE
14 TEAM WITHIN THIS COMMONWEALTH.

15 (2) IF THE RENTAL HOUSING IS CONDEMNED DUE TO:

16 (I) EVENTS THAT ARE BEYOND THE CONTROL OF THE
17 LANDLORD, INCLUDING FIRES, WATER DAMAGE, NATURAL
18 DISASTERS OR ACTS OF GOD; OR

19 (II) DAMAGES THAT ARE THE RESULT OF THE LACK OF
20 MAINTENANCE, NEGLIGENCE, FAILURE TO PAY UTILITY BILLS OR
21 OTHER PREVENTATIVE ACTION THAT COULD HAVE BEEN TAKEN BY
22 THE TENANT.

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

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