

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1567 Session of 2023

INTRODUCED BY MALAGARI, MADDEN, SANCHEZ, WEBSTER, N. NELSON, HILL-EVANS, GUENST, KHAN, SAMUELSON, SHUSTERMAN, D. WILLIAMS, GREEN, CEPEDA-FREYTIZ, BOYD, KAZEEM, MAYES, CIRESI, OTTEN, M. MACKENZIE, MAJOR, KUZMA, MIHALEK AND SCHMITT, JULY 11, 2023

AS REPORTED FROM COMMITTEE ON LOCAL GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 18, 2023

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 * * *

1 "Municipality." Any of the following:

2 (1) Any city, borough, incorporated town, township, home
3 rule municipality, optional plan municipality, optional
4 charter municipality or any similar general purpose unit of
5 government which may be created or authorized by statute.

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

8 * * *

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

27 * * *

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

1 * * *

2 Section 2. Section 3(a) and (a.2)(2) of the act are amended
3 to read:

4 Section 3. Compliance requirement.

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

9 (1) bring the property into compliance with municipal
10 codes or ordinances; or

11 (2) demolish the building or structure in accordance
12 with law.

13 * * *

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

15 * * *

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

24 * * *

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