

PROA March-April Update

Governor's Budget: Governor Shapiro proposed a \$44+ billion budget, that's about \$2.5 billion over the previous budget and he is expecting to utilize a \$5 billion rainy day balance and a \$7 billion surplus from the last budget, even though the independent budget office forecasted PA will be in a structural deficit within two years.

It will be interesting to see how the Governor is able to maneuver within his Democrat House and the Republican Senate.

The Legislature conducted Budget hearings for state agencies, from March 20 through April 14th and back in session on April 24th.

Of Note: the House Urban Affairs Committee is now the House Housing and Community Development Committee.

Legislation introduced:

HB 96 (Bullock)= Amends the Landlord and Tenant Act: applicants or potential tenants and their household members, the landlord may not inquire about or require disclosure of an arrest not leading to conviction, participation in or completion or deferral of judgment program, the conviction that has not been judicially dismissed, expunged, voided or invalidated, conviction or any other determination or adjudication in the juvenile justice system, the conviction that is more than seven years old, the date of conviction being the date of sentencing and information pertaining to an offense other than a felony or misdemeanor. House Housing, 3-08-23.

HB 109 (Ciresi/reintroduction)= prohibiting early termination fees for early termination of a service contract if the party dies before completion of the contract. House Consumer Protection, 3-08-23.

HB 121 (Ciresi/reintroduction)= The Off-Campus Student Housing Tenant Rights Act: requires the Department of Education to create and distribute a bill of rights to institutions of higher education in the Commonwealth to develop & distribute information about renting and include the rights to live in a habitable dwelling, to residential privacy, to a hearing prior to eviction, to receive a writ or possession prior to eviction, against harassment and discrimination, for an individual with disabilities to request reasonable accommodations, to visitors and to utility access. House Housing, 3-08-23.

HB 366 (Isaacson/reintroduction)= A landlord or the landlord's agent may not charge a rental application fee of more than \$20 to apply to enter into a rental agreement for a residential dwelling

unit, and they may only use the fee to conduct a background check on the applicant's criminal history record and credit score. House Housing, 3-14-23.

HB 372 (Isaacson)= Amends the Landlord and Tenant Act: establishing that during a disaster emergency declared by the governor, it is unlawful for a landlord to evict or attempt to evict a tenant unemployed, separated from employment or unable to find employment due to a disaster emergency or enter the leased premises for purposes of showing the premises to prospective buyers or tenants without the express consent of the tenant. House Housing, 3-14-23.

HB 506 (Guenst)= Amends the Landlord and Tenant Act: providing for limitations on rent increases to insert definitions for a duplex, dwelling unit, the percentage change in the cost of living, secretary, single-family dwelling unit, and tenancy; prohibits residential landlords from increasing rent on a dwelling unit by more than five percent plus the percentage change in the cost of living or 10 percent, whichever is lower. House Housing, 3-17-23.

HB 681 (Sturla/reintroduction)= Amends the Landlord and Tenant Act: in tenement buildings and multiple dwelling premises, providing for lead testing requirements; adds lead testing requirements for properties built prior to 1978; requires the landlord to provide the results of the lead test and the date of the test to any prospective tenant; requires the lead test to be conducted by an inspector certified by the Department of Labor and Industry or by the municipality, borough or township; requires the test to be conducted at least once, the results to be submitted to the local government and the record-keeping of the test results by that local government; adds that the testing result records need to be publicly available. House Housing, 3-23-23.

HB 741 (Haddock/reintroduced & different House member)= regulating certain (10-year) smoke alarms; providing for dwelling unit owner and tenant responsibilities. House Housing, 3-28-23.

SB 216 (Costa/reintroduced)= Amends the Taxpayer Relief Act: in senior citizens property tax and rent rebate assistance, providing it is unlawful for a landlord and tenant to enter into a lease or agreement to assign or pay any portion of any rebate payable under this chapter to which the tenant may be entitled to the landlord or the landlord's assignee or representative. Senate Finance, 1-31-23

SB 339 (Tartaglione/reintroduced)= The Radon Remediation Act: provides for testing for dangerous levels of radon and remediation measures in school buildings, residential buildings, residential homes, and commercial buildings; directs landlords to conduct radon tests in dwelling units, providing for deadlines and remediation measures in which landlords inform prospective tenants; continue subsequent radon tests every five years after the initial tests, as well as provides for test results and certification. Senate Environmental, 2-10-23

SB 369 (Mastriano/reintroduction)= The Property Owner's Bill of Rights Act: provides for a property owners bill of rights; directs the attorney general to prepare a written statement that includes a bill of

rights for an owner whose property may be condemned by an acquiring agency through the use of the agency's eminent domain authority which should be available on the Office of the Attorney General's publicly accessible website; shall be provided to the last known address of the property owner at least seven days before the agency's declaration of taking. Senate Judiciary, 2-21-23

SB 376 (Hughes)=_Amends the Administrative Code, establishing the Commonwealth Housing Council: adds a definition for council and establishes the Commonwealth Housing Council to coordinate with executive departments and agencies regarding Pennsylvania's housing policies developing a unified set of housing-related goals and priorities, working in collaboration with executive departments or agencies; developing and updating a state plan at least once every five years; creating and maintaining a consolidated inventory and resource guide; collecting data relating to the needs, demands, and conditions of affordable and workforce housing.

Senate Urban Affairs, 2-16-23.

HB 300 (Kenyatta)= Amends PA Human Relations ACT, freedom from and unlawful discriminatory practices; adds sexual orientation, gender identity and expression in employment, housing, and public accommodation. Third consideration and final passage, 5-02-23. Sent to the Senate

HB 765 (Kinhead)= Uniform Tenants' Bill of Rights, a resident may only be evicted for the following reasons: Nonpayment of rent; **a** second or additional violation of the terms of the lease occurring within a six-month period after the initial violation; or **a** change in the use of the residence; all landlords would be required to provide a copy of the tenant's rights pursuant to the Uniform Tenants' Bill of Rights to all tenants prior to collecting any deposits or fees. House Housing 3-30-23

SB 619 (Kane)= Extends the PA Human Relations ACT to protections to any person with a handicap or disability; make a modification at the landlord's expense or grant permission for a renter modification at the renter's expense if the renter agrees to restore the interior of the premises to the condition that existed before the modification; or will allow a tenant who is older or disabled to break their lease without penalty when they are unable to safely remain in their home. Senate Urban Affairs, 4-25-23