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POLITICAL LANDSCAPE

So far, it has been an interesting Fall Session in the Pennsylvania General Assembly. The House, Senate as well as the Governor continue to discuss their shuffling priorities for the Fall session. The legislative priorities include reapportionment, school vouchers, a fee on natural gas drillers, privatizing liquor sales, funding transportation, and a move to divvy up Pennsylvania's electoral votes. Out of all of those priorities, reapportionment has to be passed prior to the end of the Fall Session.

This past week things seem to be starting to move in the Senate. Senator Corman floated a proposal on how to raise funding for infrastructure/transportation issues, but the Governor said he does not want to raise fees on taxpayers, so transportation funding may have to wait until next year.

The Senate passed a school voucher/earned income tax credit/charter school bill – SB 1, and moved Senator Scarnati's Marcellus Shale legislation forward, amending the bill in the Appropriations Committee to include significant regulatory changes. SB1 will now move over to the House for consideration, and Senator Scarnati's Marcellus Shale legislation will be discussed and debated over the next few weeks before

being voted on and passed over to the House for consideration.

In the House, Republicans voiced concern over the prospect of considering voucher legislation in the Fall, and House Majority Leader Mike Turzai got good news regarding his top priority to sell of state owned liquor stores. A report came out this week and stated that the sale of the state's retail and wholesale liquor system could generate between \$1.1 and \$1.6 billion in one-time revenue. Governor Corbett said he supports taking "the state out of the liquor business."

The final days of the Fall Session should be very hectic and intense to see if the House will act on school vouchers, and whether either the Senate or the House will pass legislation concerning the remaining priorities.

SESSION SCHEDULE

2011 Senate Session Schedule:

November 1, 14, 15, 16
December 5, 6, 7, 12, 13, 14

2011 House Session Schedule:

November 1, 2, 14, 15, 16, 21, 22, 23
December 5, 6, 7, 12, 13, 14

FLOOD RELIEF

PROA Members Asked to Assist

The Department of Community and Economic Development reached out to PROA and its members to assist flood victims by waiving security deposit requirements and easing pet restrictions in an effort to secure temporary housing for those affected by the September flooding.

The devastation from Hurricane Irene and Tropical Storm Lee forced many families to exhaust their savings in an attempt to get their lives back in order. PROA member's support of the DCED initiative was imperative to the Commonwealth's effort to ensure affected families would have a comfortable place to live.

We appreciate all of those members, who were able to help in this time of crisis. The Administration is very thankful to you all.

LEGISLATIVE UPDATE

Abandoned Tenant Property

Senate Bill 887 (Browne)

The Senate Urban Affairs and Housing Committee reported Senate Bill 887 out of Committee on September 28th. The bill was introduced by Senator Pat Browne, and the bill sets forth statewide timeframes for the disposition of personal property abandoned when a tenant leaves a rental unit.

Specifically, SB887 defines the rights and duties of tenants and landlords when a tenant leaves behind personal property following the termination of the tenant's occupation of the premises.

Senator Browne's legislation requires the landlord to notify the tenant of abandoned personal property. Within 10 days of receiving notification, the tenant must contact the landlord and declare his or her intentions to retrieve the property. If the tenant does not respond to the notification, the landlord may dispose of the property at the end of 10 days.

If the tenant does make contact to the landlord within the 10 days, the landlord must hold the property for 30 days, but the tenant will be responsible for any storage fees incurred during that time period.

On October 25th, SB 887 was passed unanimously by the Senate and will now go to the House for consideration .

Carbon Monoxide

Senate Bill 920 (Browne)

The Senate Urban Affairs and Housing Committee reported Senate Bill 920 out of Committee on September 28th. The bill was introduced by Senator Pat Browne, and the bill would require carbon monoxide monitors in residential properties.

SB 920 will require homeowners, upon the sale of their home, to work with the seller to ensure that the structure is equipped with a carbon monoxide detector in a centrally located area outside of the bedroom area as well as in the vicinity of a fossil-fuel appliance or heater.

The provisions of SB 920 expand an existing requirement for new construction

in Commonwealth to include existing residences upon change of ownership. The Pennsylvania Building Code requires all newly constructed homes and certain existing home with fossil fuel burning heaters or appliances and/or an attached garage to install carbon monoxide detectors. These requirements are similar to code requirements for smoke detectors.

SB 920 now goes to the full Senate for consideration.

Bed Bugs

Senate Bill 908 (Farnese)

If you recall from the last newsletter, SB908 requires, with certain exceptions, multi-unit and hotel owners to eradicate bedbugs and provide bed bug free living at the owners' expense. PROA has met with Senator Farnese's staff and gave recommendations on how the bill can be improved upon. The Senator's staff has been meeting with other affected groups over the past few months.

The Senator's staff has reached out to PROA and they will be forwarding new draft language in the next few weeks to get the association's input. We will keep the members updated as this legislation continues to evolve.

PROA Legislative Issue Make "Students" a Protected Class under PA Human Relations Act

On Wednesday, October 12th, Rita Dallago and Jack Phillips, PROA's Harrisburg lobbyist, met with JoAnn Edwards, Executive Director of the Pennsylvania Human Relations Commission (PHRC), Michael Hardiman, PHRC's Chief Counsel and Stephanie Chapman, PHRC's Director of Housing & Commercial Property, to discuss amending the PA Human Relations Act to include students as a protected class.

The issue was vetted throughout the meeting. The PHRC staff thought maybe that opening up the Act would not be the best option, but rather, introduce legislation prohibiting municipalities from enacting the type of ordinances, which may discriminate against students. The PHRC staff also recommended that PROA survey its members to determine how many municipalities have these types

of ordinances, how the ordinances define students and what other rules municipalities might place in their ordinances that restrict a landlord's right to rent to a "student."

We hope PROA members will cooperate in helping us undertake this study, so we can draft legislation that would restrict a municipality from enacting potentially discriminatory ordinances towards "students." and student housing.

Other Pending Legislation

House Bill 38 (Caltagirone)

Amends Title 42 (Judiciary), in governance of the system, further providing for establishment of fees, charges & costs; in facilities & supplies, further providing for surcharges; in budget & finance; for Commonwealth portion of fines.

Status: Approved by the Governor (Act: 30)

House Bill 300 (Frankel)

Amends PA Human Relations Act further providing for title, findings, for right to freedom from discrimination in employment, housing & public accommodation; defining "sexual orientation" & "gender identity or expression" and for education.

Status: Public hearing held in committee House Democratic Policy Committee

House Bill 415 (Wagner)

Amends The Landlord and Tenant Act adding a prohibition relating to assigning rent rebates.

Status: 11-02-11 H Meeting set for 9:30 a.m., Room 60, East Wing ..House Urban Affairs

House Bill 442 (Helm)

Amends Title 68 (Real and Personal Property) prohibiting private transfer fee obligations; and providing for notice and disclosure of existing private transfer fee obligations.

Status: G Approved by the Governor (Act: 8)

House Bill 592 (Fleck)

Amends the Tax Reform Code further providing for exemptions from the realty transfer tax.

Status: Set on the Tabled Calendar

House Bill 1326 (Grove)

Amends Taxpayer Relief Act further providing for adoption of preliminary

budget proposals & for public referendum requirements; for requirements for increasing certain taxes; & further providing for tax relief.

Status: Rereferred to House Rules

House Bill 1451 (Ross)

Amends Real Estate Tax Sale Law providing for additional costs for rehabilitation and maintenance.

Status: Received in the Senate and referred to Senate Finance

House Bill 1467 (White, J)

Amends Title 53 (Municipalities), in consolidated county assessment, further providing for limitation on tax increase after countywide reassessment.

Status: Introduced and referred to committee on House Local Government

House Bill 1468 (White, J)

Amends the Taxpayer Relief Act, in taxation by school district, further providing for property tax limits on reassessment.

Status: Introduced and referred to committee on House Finance

House Bill 1582 (Taylor)

Amends Title 53 (Municipalities), in municipal authorities, further providing for purposes and powers.

Status: Received in the Senate and referred to Senate Local Government

House Bill 1667 (Galloway)

Act providing for the Property Assessed Clean Energy Program; and authorizing municipalities and municipal authorities to provide clean energy financing to residential and commercial property owners.

Status: Introduced and referred to committee on House Environmental Resources and Energy

House Bill 1682 (Taylor)

Amends Title 68 (Real and Personal Property) providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

Status: Introduced and referred to committee on House Urban Affairs

House Bill 1696 (Saccone)

Act providing for a temporary moratorium of court-ordered countywide reassessments and for reforms based upon study.

Status: Set on the Tabled Calendar

House Bill 1726 (Matzie)

Amends act permitting recording of leases, subleases & agreements to lease or sublease further providing for indexing of leases, subleases, agreements and memoranda.

Status: Introduced and referred to committee on House Local Government

House Bill 1764 (Davis)

Amends The Landlord and Tenant Act providing for tenants' right to disclosure.

Status: Introduced and referred to committee on House Urban Affairs

House Bill 1767 (Freeman)

Amends Manufactured Home Community Rights Act adding definitions; providing for abandoned manufactured homes, for sale of manufactured home communities and for remedies; and repealing certain provisions of The Landlord and Tenant Act of 1951.

Status: Introduced and referred to committee on House Urban Affairs

House Bill 1818 (Schroder)

Amends Title 53 (Municipalities Generally), in consolidated county assessment, further providing for clerical and mathematical errors; & making an editorial change.

Status: Introduced and referred to committee on House Local Government

House Bill 1837 (Petri)

Act providing for the acquisition of property by local government units to mitigate flood hazards.

Status: Introduced and referred to committee on House Environmental Resources and Energy

House Bill 1845 (Davis)

Amends the Loan Interest and Protection Law providing for a single point of contact for residential mortgage debtor.

Status: Introduced and referred to committee on House Finance

House Bill 1846 (Davis)

Amends the Landlord and Tenant Act providing for notice of foreclosure.

Status: Introduced and referred to committee on House Judiciary

House Resolution 320 (White, J)

Concurrent Resolution est. task force to develop criteria & procedures for data to address insufficient sample data & develop a county's performance measure during a reassessment is so it's representative of the bulk of the county's property.

Status: Introduced and referred to committee on House Local Government

House Resolution 321 (White, J)

Concurrent Resolution est. task force to develop uniform standards for county reassessment contracting, for disclosing the county's system of property valuation, assessment, self-evaluation tool; Statewide mandatory reassessment time frame.

Status: Introduced and referred to committee on House Local Government

House Resolution 343 (White, J)

Resolution est. task force to develop a set of uniform standards for county reassessment contracting, develop standards for disclosing the county's system of property valuation & assessment; self-evaluation tool & standard time frame.

Status: Discussed in committee ...House Local Government

Senate Bill 353 (Fontana)

Amends Title 68 (Real and Personal Property) prohibiting private transfer fee obligations; and providing for notice and disclosure of existing private transfer fee obligations.

Status: Set on the Tabled Calendar

Senate Bill 681 (Ferlo)

Amends the Alternative Energy Investment Act, providing for the definition of "residential building"; and further providing for the Commonwealth Financing Authority.

Status: Introduced and referred to committee on Senate Environmental Resources and Energy

Senate Bill 725 (Gordner)

Amends the Borough Code further providing for officers to be elected, for election of assessors, for filling vacancies in elective borough offices, for powers of assessors and for duplicate assessments.

Status: Received in the House and referred to House Local Government

Senate Bill 726 (Folmer)

Amends the First Class Township Code further providing for elected officers, vacancies, first class township corporate power on board, for elected officers in first class townships & additions & revisions to duplicates.

Status: Received in the House and referred to House Local Government

Senate Bill 878 (Rafferty)

Act requiring owners & lessors of real property contaminated by methamphetamines to disclose contamination; for powers of Dept. of Health & enforcement; & est. civil

immunity for real estate professionals under certain circumstances.

Status: Set on the Senate Calendar

Senate Bill 1048 (McIlhinney)

Act prohibiting certain governing bodies from restricting persons who occupy dwelling units from using solar clothes-drying devices.

Status: Introduced and referred to committee on Senate Urban Affairs and Housing

Senate Bill 1093 (Piccola)

Amends Public School Code further providing for tax levies, for power to incur debt, for taxing power, for limitations, for school districts lying in more than one county & tax levy on occupations & for temporary continuance of tax.

Status: Introduced and referred to committee on Senate Finance

Senate Bill 1105 (Washington)

Amends the Landlord and Tenant Act providing for abuse victim status protection.

Status: Introduced and referred to committee on Senate Urban Affairs and Housing

Senate Bill 1106 (Washington)

Act prohibiting landlord from terminating or failing to renew tenancy based upon an act of domestic violence, sexual assault or stalking against a protected tenant or household member.

Status: Introduced and referred to committee on Senate Urban Affairs and Housing

Senate Bill 1141 (McIlhinney)

Amends the Manufactured Housing Improvement Act expanding the coverage of the act to relocated housing.

Status: 11-01-11 S Meeting set for 10:00 a.m., Room 461 Main Capitol ...Senate Urban Affairs and Housing

Senate Bill 1164 (Wozniak)

Amends Title 53 (Municipalities) further providing for assessment of mobile homes and house trailers.

Status: Introduced and referred to committee on Senate Local Government

Senate Bill 1222 (Pileggi)

Amends Taxpayer Relief Act providing for certification & calculation of minimum & maximum modifiers & Property Tax Relief Reserve Fund; providing for senior citizen tax relief; and for State property tax reduction allocation.

Status: Introduced and referred to committee on Senate Finance