



## Government Affairs Update Friday, July 25, 2014

### FOR ABANDONED PERSONAL PROPERTY: TENANT'S GROUPS SAY, "SO SUE"

A bill to improve Pennsylvania's landlord/tenant, abandoned personal law has been stalled by demands for court ordered evictions or other government intervention even in cases where residents have left for good but have abandoned unwanted items in the dwelling.

Act 129 of 2010 is helpful for rental owners who must deal with the abandoned personal property of former residents. But in the two years since the law has been in effect, it has become clear there is still a need for a fair solution to the problem of what to do in situations in which residents leave for good, without giving notice or providing a forwarding address, but leave some personal items in the dwelling. HB 1714, sponsored by State Representative Petri (R- Bucks), which passed the House in the spring, provides a fair-minded, common sense approach to the problem.

The bill considers personal property to have been abandoned if the resident vacates after termination of the lease, there is an eviction order and the resident vacates, the resident has given written notice and a forwarding address, or the resident has vacated, is 15 days past due in the rent, and the rental owner posts written notice on the dwelling stating the resident's rights. If the owner knows or is notified of a protection from abuse order, the owner cannot dispose of or take control of the property for 30 days, and the resident may request the property be stored for up to 30 days.

After passing the House, HB 1714 went to the Senate, was voted out of committee, received second consideration by the full Senate, and was set on the Senate calendar. But it is still not quite in reach of the finish line.

Tenant's groups are insisting on court involvement even in cases where it is obvious the resident has left for good and taken most all of their personal property. Even in the very common case where clearly unwanted items are left in the dwelling, opponents of HB 1714 insist the rental owner should be required to pursue an eviction- against a resident who has obviously left- or at least go to the expense of securing third party, government verification before the unwanted items are removed or stored.

We attended meetings this week with staff of Senate leadership and will continue talks over the summer to get the current, fair HB 1714 out of the Senate and on the Governor's desk.