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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1270 Session of  
2013

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INTRODUCED BY DEAN, CALTAGIRONE, KORTZ, COHEN, O'BRIEN, MUNDY,  
W. KELLER, FABRIZIO, BROWNLIE, YOUNGBLOOD, KINSEY, THOMAS,  
V. BROWN, MURT, SIMS AND PAINTER, APRIL 30, 2013

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REFERRED TO COMMITTEE ON JUDICIARY, APRIL 30, 2013

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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," providing for early termination of leases  
6 by individuals with disabilities and senior citizens.

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

9 Section 1. The act of April 6, 1951 (P.L.69, No.20), known  
10 as The Landlord and Tenant Act of 1951, is amended by adding a  
11 section to read:

12 Section 514. Early Termination of Leases by Individuals with  
13 Disabilities and Senior Citizens.--(a) Notwithstanding any  
14 other provision of this act or law, a tenant of a residential  
15 unit who:

16 (1) has a disability or is a senior citizen; and

17 (2) is either:

18 (i) awaiting admission and subsequently moves to a health  
19 care facility; or

1 (ii) needs to move and subsequently moves to a family  
2 member's residence for the express purpose of receiving care  
3 from a home health care agency for a period of no less than six  
4 months may terminate the lease prior to the date provided in the  
5 lease by providing the landlord of the residential unit with the  
6 information specified in subsection (b).

7 (b) The following information must be submitted to a  
8 landlord:

9 (1) written notice delivered to the landlord sixty days  
10 prior to the proposed early termination date informing the  
11 landlord of the tenant's required admission and move to a health  
12 care facility or need to move to a family member's residence for  
13 the express purpose of receiving care from a home health care  
14 agency for a period of no less than six months;

15 (2) certified documentation signed by a licensed physician  
16 indicating that the tenant, due to medical reasons, is unable to  
17 continue to live independently in the residential unit and  
18 requires admission to a health care facility or needs to receive  
19 care from a home health care agency for a period of no less than  
20 six months; and

21 (3) if applicable, a notarized statement from the tenant's  
22 family member attesting to the fact that the tenant is a  
23 relative and will be moving into the family member's residence  
24 to receive care from a home health care agency for a period of  
25 no less than six months.

26 (c) Nothing under this section shall be construed to relieve  
27 a tenant to which this section applies of liability for rent or  
28 any other debt incurred under a lease prior to the termination  
29 date provided in the lease.

30 (d) For the purposes of this section, the following words

1 shall have the meanings ascribed to them in this subsection  
2 unless the context otherwise indicates:

3 "Disability." A physical or mental impairment that  
4 substantially limits one or more major life activities.

5 "Health care facility." Any general, chronic disease or  
6 other type of hospital, personal care home, home health care  
7 agency, hospice or long-term care nursing facility.

8 "Senior citizen." Any person who has attained the age of 62  
9 years of age or older, or will attain such age during the term  
10 of an agreement in which the person is a tenant of a residential  
11 unit.

12 Section 2. The provisions of this act shall only apply to  
13 leases entered into or extended on or after the effective date  
14 of this section.

15 Section 3. This act shall take effect immediately.