

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 136 Session of 2021

INTRODUCED BY ROTHMAN, STAATS, ROAE, ROWE, JONES, RYAN,
ZIMMERMAN, MOUL AND WHEELAND, JANUARY 12, 2021

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JANUARY 12, 2021

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," in preliminary provisions, providing for
6 rent and price control.

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 106. Rent and Price Control.--(a) This section
13 shall preempt and supersede any local ordinance or rule
14 concerning subject matter of subsection (b), except as provided
15 in subsection (c).

16 (b) Political subdivisions may:

17 (1) Not enact, maintain or enforce an ordinance, rule or
18 resolution of any kind that would have the effect of controlling
19 the amount of rent charged for leasing private residential or
20 commercial property.

1 (2) Not enact, maintain or enforce an ordinance, rule or
2 resolution of any kind that would have the effect of
3 establishing a maximum sales price for a privately produced
4 housing unit or residential building lot.

5 (3) Enact, maintain or enforce any zoning regulation,
6 requirement or condition of development imposed by land use or
7 zoning ordinance, regulation or resolution or a special permit,
8 special exemption or subdivision plan that requires the direct
9 or indirect allocation of a percentage of existing or newly
10 constructed private residential or commercial rental units for
11 long-term retention as affordable housing or workforce housing.
12 This clause applies to zoning ordinances in effect on or created
13 on or after the effective date of this section.

14 (4) Not enact, maintain or enforce an ordinance, rule or
15 resolution that would have the effect of prohibiting or limiting
16 the right of a landlord, owner, agent or other person operating
17 or managing a residential rental property, or a resident party
18 to a lease contract, from declining to enter into a new lease
19 contract at the end of the current lease contract's term.

20 (c) This section does not:

21 (1) Limit a political subdivision from the right to manage
22 and control residential property in which the political
23 subdivision has a property interest.

24 (2) Prevent a political subdivision from creating or
25 implementing an incentive-based program designed to increase the
26 construction and rehabilitation of moderate or lower-cost
27 private residential or commercial rental units.

28 (3) Apply to property that is part of a land bank program
29 under 68 Pa.C.S. Ch. 21 (relating to land banks).

30 (4) Apply to property with any requirements adopted by a

1 political subdivision as part of a development agreement entered
2 into before the effective date of this section.

3 Section 2. This act shall take effect in 60 days.