

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1559 Session of 2019

INTRODUCED BY HEFFLEY, SCHMITT, DeLUCA, MOUL, CIRESI, MERSKI,
FREEMAN, ZIMMERMAN, HILL-EVANS AND MASSER, JUNE 7, 2019

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 7, 2019

AN ACT

1 Amending the act of July 7, 1947 (P.L.1368, No.542), entitled
 2 "An act amending, revising and consolidating the laws
 3 relating to delinquent county, city, except of the first and
 4 second class and second class A, borough, town, township,
 5 school district, except of the first class and school
 6 districts within cities of the second class A, and
 7 institution district taxes, providing when, how and upon what
 8 property, and to what extent liens shall be allowed for such
 9 taxes, the return and entering of claims therefor; the
 10 collection and adjudication of such claims, sales of real
 11 property, including seated and unseated lands, subject to the
 12 lien of such tax claims; the disposition of the proceeds
 13 thereof, including State taxes and municipal claims recovered
 14 and the redemption of property; providing for the discharge
 15 and divestiture by certain tax sales of all estates in
 16 property and of mortgages and liens on such property, and the
 17 proceedings therefor; creating a Tax Claim Bureau in each
 18 county, except counties of the first and second class, to act
 19 as agent for taxing districts; defining its powers and
 20 duties, including sales of property, the management of
 21 property taken in sequestration, and the management, sale and
 22 disposition of property heretofore sold to the county
 23 commissioners, taxing districts and trustees at tax sales;
 24 providing a method for the service of process and notices;
 25 imposing duties on taxing districts and their officers and on
 26 tax collectors, and certain expenses on counties and for
 27 their reimbursement by taxing districts; and repealing
 28 existing laws," adding provisions relating to bidder
 29 registration before sale; and, in sale of property, further
 30 providing for date of sale, for repurchase by owner, for
 31 restrictions on purchases and for sale of property in
 32 repository.

33 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

2 Section 1. The act of July 7, 1947 (P.L.1368, No.542), known
3 as the Real Estate Tax Sale Law, is amended by adding an article
4 to read:

5 ARTICLE V-A

6 BIDDER REGISTRATION BEFORE SALE

7 Section 501-A. Duty to register.

8 (a) General rule.--A person that intends to bid at a
9 scheduled sale must appear and register at the bureau not less
10 than 14 days before the scheduled sale.

11 (b) Bids on multiple properties.--Except if a person intends
12 to bid on more than one property at scheduled sales conducted on
13 the same day in the same county, each time that a person intends
14 to bid at a scheduled sale, the person must comply with
15 subsection (a).

16 (c) Fee.--A county may establish a fee for filing an
17 application to register under this article.

18 Section 502-A. Application.

19 In order to register for a scheduled sale, the person must
20 submit an application that includes the following information:

21 (1) If the applicant is an individual, the individual's
22 name, residential address and phone number.

23 (2) If the applicant is not an individual, the
24 applicant's name, including the name of all officers,
25 business address and phone number.

26 (3) An affidavit stating that the applicant:

27 (i) is not delinquent in paying real estate taxes to
28 any taxing district in this Commonwealth and that the
29 applicant has no municipal utility bills, as defined in
30 section 619.1(b), that are not more than one year

1 outstanding anywhere in this Commonwealth;

2 (ii) is not bidding for or acting as an agent for a
3 person who is barred from participating in the sale under
4 section 601(d); and

5 (iii) has not, within the three years preceding the
6 filing of the application, engaged in a course of conduct
7 or permitted an uncorrected housing code violation, as
8 defined in section 619(e), to continue unabated after
9 being convicted of such violation, as defined in section
10 619(e), and has not either:

11 (A) failed to maintain property owned by the
12 applicant in a reasonable manner such that the
13 property posed a threat to health, safety or
14 property; or

15 (B) permitted the use of property in an unsafe,
16 illegal or unsanitary manner such that the property
17 posed a threat to health, safety or property.

18 Section 503-A. List of registered bidders.

19 A bureau shall provide a list of completed applications
20 received under section 502-A to all municipalities within the
21 county at least 10 days prior to the scheduled sale. The list
22 shall provide for each property the name, address and phone
23 number of the applicant.

24 Section 2. Sections 601(d), 618 heading, (a) and (c), 619(b)
25 and 627(a) of the act are amended to read:

26 Section 601. Date of Sale.--* * *

27 (d) No individual whose landlord license has been revoked in
28 a municipality pursuant to its ordinance may purchase property
29 in the county in which the local municipality is located at a
30 tax sale under this act. [Every person bidding for property to

1 be sold at a tax sale under this act must certify that they are
2 not bidding for or acting as an agent for a person who is barred
3 from participating in a sale under this subsection.] Pursuant to
4 this subsection, a municipality shall furnish to the county in
5 which such municipality is located, within forty-eight (48)
6 hours in advance of a tax sale, documentation relating to
7 landlord license revocations pursuant to municipal ordinance.

8 * * *

9 Section 618. Repurchase by Owner and Immediate Family
10 Members.--(a) The owner and immediate family members of the
11 owner shall have no right to purchase [his own] the owner's
12 property at a judicial sale, a private sale or from the bureau's
13 repository for unsold property under the provisions of this act.

14 * * *

15 (c) For the purpose of this section[, "owner"]:

16 "Immediate family member" means any parent, sibling, child by
17 blood, adoption or marriage, spouse, grandparent or grandchild
18 of an individual.

19 "Owner" means any individual, partner, shareholder, trust,
20 partnership, limited partnership, corporation or any other
21 business association or any trust, partnership, limited
22 partnership, corporation or any other business association that
23 has any individual as part of the business association who had
24 any ownership interest or rights in the property.

25 Section 619. Restrictions on Purchases.--* * *

26 (b) A municipality may, before and within fifteen (15) days
27 of any sale held under subarticle (b) of Article VI, petition
28 the court of common pleas to prohibit the transfer of any deed
29 for any property exposed for any sale under subarticle (b) of
30 Article VI which is located in that municipality to any

1 purchaser who is proven to meet any of the criteria set forth in
2 the municipality's petition.

3 * * *

4 Section 627. Sale of Property in Repository.--(a) The
5 bureau may, with the written consent of all the taxing districts
6 where the property is located, establish a minimum purchase
7 price and accept an offer of any price equal to or greater than
8 the minimum purchase price for property placed in the
9 "repository for unsold properties" without court approval and
10 published notice of sale. The bureau may also require, as a
11 condition of sale, that the purchaser provide an affidavit that
12 includes the information specified under section 502-A(3). Any
13 taxing district may not unreasonably withhold its consent to the
14 sale of the property[.] and, if no consent is provided within
15 sixty (60) days, it shall be deemed that the taxing district
16 consents to the sale of the property.

17 * * *

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