

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 2185 Session of  
2020

---

INTRODUCED BY SNYDER, HILL-EVANS, PASHINSKI, SCHLOSSBERG, JAMES,  
FREEMAN, NEILSON, KULIK, McNEILL, YOUNGBLOOD, HOWARD AND  
DeLUCA, JANUARY 10, 2020

---

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JANUARY 10, 2020

---

AN ACT

1 Providing for the tax sale of abandoned properties.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Abandoned  
6 Property Tax Sale Act.

7 Section 2. Findings and declarations.

8 The General Assembly finds and declares as follows:

9 (1) Pennsylvania's older communities are vital to the  
10 Commonwealth's economic health by providing a focal point for  
11 businesses and services, and to the Commonwealth's quality of  
12 life with their rich histories and diversity. However, many  
13 older communities suffer from blighted properties that have  
14 been abandoned by their owners.

15 (2) The residents of this Commonwealth are adversely  
16 affected by abandoned, blighted and tax-delinquent  
17 residential, commercial and industrial properties, including

1 those residents who live or work in proximity to substandard  
2 buildings, as well as those who own property in the vicinity  
3 of the buildings.

4 (3) Abandoned, blighted and tax-delinquent residential,  
5 commercial and industrial structures pose a safety threat and  
6 public nuisance, and their blighting effect diminishes the  
7 value of nearby property.

8 (4) If these buildings are not demolished or  
9 rehabilitated and brought into code compliance, they are  
10 likely to remain abandoned and further deteriorate, resulting  
11 in increased cost to the Commonwealth, municipalities and  
12 taxpayers to secure and ultimately demolish these buildings.

13 (5) Properties sold at tax sale sometimes remain  
14 blighted and become tax delinquent again.

15 (6) Providing a mechanism to remove or transform  
16 abandoned, blighted and tax-delinquent buildings into  
17 productive reuse is an opportunity for communities to  
18 modernize, revitalize and grow, and to improve both the local  
19 economy and the quality of life for neighbors.

20 (7) The General Assembly declares that it is in the best  
21 interests of the Commonwealth, municipalities and communities  
22 to establish a process, as provided under this act, for  
23 declaring properties abandoned and ensuring that the  
24 properties, when purchased at tax sale, will be demolished or  
25 rehabilitated and returned to productive use.

### 26 Section 3. Definitions.

27 The following words and phrases when used in this act shall  
28 have the meanings given to them in this section unless the  
29 context clearly indicates otherwise:

30 "Abandoned property."

1           (1) A property on which there is a building that has not  
2 been legally occupied for at least the previous 12 months and  
3 of which the municipality finds at least one of the  
4 following:

5           (i) The building is a public nuisance.

6           (ii) The building is in need of substantial  
7 rehabilitation, as defined in section 3 of the act of  
8 November 26, 2008 (P.L.1672, No.135), known as the  
9 Abandoned and Blighted Property Conservatorship Act, and  
10 no rehabilitation has taken place during the previous 12  
11 months.

12           (iii) The building is unfit for human habitation,  
13 occupancy or use.

14           (iv) The condition and vacancy of the building  
15 materially increases the risk of fire to the building and  
16 to adjacent properties.

17           (v) The building is subject to unauthorized entry  
18 leading to potential health and safety hazards, and the  
19 owner has failed to take reasonable and necessary  
20 measures to secure the building or the municipality has  
21 secured the building in order to prevent the hazards  
22 after the owner has failed to do so.

23           (vi) The property is an attractive nuisance to  
24 children, including the presence of abandoned wells,  
25 shafts, basements, excavation and unsafe structures.

26           (vii) The presence of vermin or the accumulation of  
27 debris, uncut vegetation or physical deterioration of the  
28 structure or grounds has created potential health and  
29 safety hazards, and the owner has failed to take  
30 reasonable and necessary measures to remove the hazards.

1           (viii) The property is an attractive nuisance for  
2           illicit purposes, including prostitution, drug use and  
3           vagrancy.

4           (2) The term includes structures if the structures are  
5           the only improvements on the property.

6           (3) The term does not include auxiliary structures that  
7           are incidental to the main building on the property.

8           "Municipality." A city of the first class, second class,  
9           second class A or third class, an incorporated town, a township  
10          of the first class or second class or a borough.

11          "Public nuisance." A property that, because of physical  
12          condition or use, is regarded as a public nuisance at common law  
13          or has been declared a public nuisance in accordance with the  
14          local housing, building, health, fire or related codes.

15          Section 4. Publication of notice and review by municipality.

16          (a) List.--At least 60 days prior to the date scheduled for  
17          a tax sale, under the act of May 16, 1923 (P.L.207, No.153),  
18          referred to as the Municipal Claim and Tax Lien Law, the act of  
19          July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax  
20          Sale Law, or the act of October 11, 1984 (P.L.876, No.171),  
21          known as the Second Class City Treasurer's Sale and Collection  
22          Act, the county where the property is located shall make public  
23          a list of properties to be offered at the sale. The county shall  
24          provide a copy of the list to the mayor, or comparable municipal  
25          official, of a municipality where a property scheduled for sale  
26          is located.

27          (b) Notification.--Within 30 days of receipt of the list  
28          under subsection (a), the municipality shall notify the county  
29          of any of the properties on the list under subsection (a) within  
30          the municipality's jurisdiction that are abandoned properties.

1 (c) Sale.--No less than 15 days prior to the scheduled tax  
2 sale, the county where the property is located shall make public  
3 a revised list of properties to be offered for sale, indicating  
4 the abandoned properties.

5 Section 5. Requirements for purchaser of abandoned properties.

6 (a) Informed purchase.--Prior to a tax sale under the act of  
7 May 16, 1923 (P.L.207, No.153), referred to as the Municipal  
8 Claim and Tax Lien Law, the act of July 7, 1947 (P.L.1368,  
9 No.542), known as the Real Estate Tax Sale Law, or the act of  
10 October 11, 1984 (P.L.876, No.171), known as the Second Class  
11 City Treasurer's Sale and Collection Act, for an abandoned  
12 property, the county where the abandoned property is located  
13 shall inform the purchaser of the requirements under this  
14 section.

15 (b) Requirements.--In addition to any other requirements of  
16 the act of May 16, 1923 (P.L.207, No.153), referred to as the  
17 Municipal Claim and Tax Lien Law, the act of July 7, 1947  
18 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, or  
19 the act of October 11, 1984 (P.L.876, No.171), known as the  
20 Second Class City Treasurer's Sale and Collection Act, the  
21 purchaser of an abandoned property shall do all of the  
22 following:

23 (1) Within 30 days of the sale and prior to the transfer  
24 of title, enter into a redevelopment agreement with the  
25 municipality where the property is located or, at the option  
26 of the municipality, with the redevelopment authority  
27 obligating the purchaser to redevelop or demolish the  
28 property in accordance with all municipal codes and  
29 officially adopted plans for the geographic area in which the  
30 property is located. If the municipality or the redevelopment

1 authority determines that demolition of the building is  
2 appropriate, the purchaser may demolish instead of  
3 redeveloping the property. The redevelopment plan shall  
4 include all of the following at a minimum:

5 (i) A specified time that the redevelopment or  
6 demolition must be completed.

7 (ii) A description of the redevelopment work or  
8 demolition to be completed.

9 (iii) Remedies for noncompliance, including the  
10 right of the municipality or redevelopment authority to  
11 acquire title to the property if the redevelopment or  
12 demolition is not completed by the agreed-upon date or to  
13 provide an extension for the redevelopment or demolition  
14 under reasonable circumstances.

15 (2) Within 30 days of the sale and prior to the transfer  
16 of title, post a bond to ensure compliance with the  
17 redevelopment agreement, naming the municipality or  
18 redevelopment authority as the beneficiary.

19 Section 6. Effective date.

20 This act shall take effect in 90 days.