



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 1340 Printer's No. 1822

Prime Sponsor: Representative White
Committee: Urban Affairs and Housing

SYNOPSIS:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in condominiums, further providing for creation, alteration and termination of condominiums and for management of condominiums; and, in planned communities, further providing for creation, alteration and termination of planned communities and for management of planned communities.

SUMMARY:

House Bill 1340 amends the Uniform Planned Community Act (UPCA) and the Uniform Condominium Act (UCA) in regards to amendments to declarations and lien for assessments.

Amendments to Declarations

Currently, under the UPCA and the UCA amendments to declarations governing planned communities and condominiums are authorized after an affirmative vote of 67% of the unit owners. House Bill 1340 will establish the term "uses to which any unit is restricted", which will:

- Clarify the authority for community associations to limit the leasing of units through an amendment process already permitted by state law.
- Protect and preserve the market values of homes in PA community associations throughout PA.
- The term does not include the leasing of units.

Lien for Assessments

House Bill 1340 will expand the provisions under the UPCA and the UCA to establish that a lien for unpaid assessments are extinguished unless proceedings to enforce the lien or actions or suits to recover sums for which the sections establish a lien are instituted within four (rather than the current three) years after the assessments become payable, which will:

- Serve as an effective mechanism to promote the payment of assessments and as appropriate security in the event of a serious delinquency.
- Enable associations and their members to resolve assessment delinquencies without putting ownership of homes at risk through foreclosure proceedings intended to protect the association's lien position.

Effective Date: This act shall take effect in 60 days.

BILL HISTORY:

House of Representatives Urban Affairs Committee - Reported as committed, June 26, 2015 (18-0)

House of Representatives Rules Committee - Re-reported as committed, June 29, 2015 (32-0)
House of Representatives Appropriations Committee - Re-reported as committed, June 30, 2015 (37-0)
House of Representatives Final passage, June 30, 2015 (195-0)

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