

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1340 Session of
2015

INTRODUCED BY WHITE, MURT, THOMAS, TOPPER, PETRI, GROVE, TAYLOR,
COHEN AND ZIMMERMAN, JUNE 16, 2015

REFERRED TO COMMITTEE ON URBAN AFFAIRS, JUNE 16, 2015

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.

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

Section 1. Sections 3219(d), 3315(d), 5219(d) and 5315(e) of Title 68 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3219. Amendment of declaration.

* * *

(d) When unanimous consent required.--

(1) Except to the extent expressly permitted or required by other provisions of this subpart, no amendment may create or increase special declarant rights, increase the number of units or change the boundaries of any unit, the common element interest, common expense liability or voting strength

in the association allocated to a unit, or the uses to which any unit is restricted, in the absence of unanimous consent of the unit owners.

(2) As used in this subsection, the term "uses to which any unit is restricted" shall not include leasing of units.

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§ 3315. Lien for assessments.

* * *

(d) Limitation of actions.--A lien for unpaid assessments is extinguished unless proceedings to enforce the lien or actions or suits to recover sums for which subsection (a) establishes a lien are instituted within [three] four years after the assessments become payable.

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§ 5219. Amendment of declaration.

* * *

(d) When unanimous consent or declarant joinder required.--

(1) Except to the extent expressly permitted or required by other provisions of this subpart, without unanimous consent of all unit owners affected, no amendment may create or increase special declarant rights, alter the terms or provisions governing the completion or conveyance or lease of common facilities or increase the number of units or change the boundaries of any unit, the common expense liability or voting strength in the association allocated to a unit or the uses to which any unit is restricted. In addition, no declaration provisions pursuant to which any special declarant rights have been reserved to a declarant shall be amended without the express written joinder of the declarant

in such amendment.

(2) As used in this subsection, the term "uses to which any unit is restricted" shall not include leasing of units.

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§ 5315. Lien for assessments.

* * *

(e) Limitation of actions.--A lien for unpaid assessments is extinguished unless proceedings to enforce the lien or actions or suits to recover sums for which subsection (a) establishes a lien are instituted within [three] four years after the assessments become payable.

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