

A victory for tenants and landlords

July 12, 2012

Pennsylvania finally has a new law that answers the question, what should a landlord do when a tenant has moved out and left things behind? While there has been local custom and folklore on this issue, there was never a definitive answer outside of Philadelphia. SB 887, now Act 129 of 2012, introduced by Sen. Browne of Lehigh, Monroe, and Northampton Counties, gives tenants a set period of time and tells landlords when they can dispose of the items without incurring liability.

Under Act 129, if a tenant moves out and leaves things behind, the landlord must send a notice to the tenant stating that personal property has been left behind. The notice must provide contact information for the landlord. The tenant then has ten days from the date of postmark of the notice to contact the landlord.

If the tenant does contact with landlord within the ten day period, the landlord must allow the tenant a total of thirty days (the first ten plus twenty more) to get the items. After the first ten days, the landlord may move the items to another location and charge the tenant for storage. If the tenant does not contact the landlord within ten days, the landlord may dispose of the items and have no further responsibility for them.

The law applies when either (1) the landlord has received a judgment in an eviction case and has executed an order for possession, or (2) the tenant has given written notice that he has left the home.

Act 129 was the result of several years' worth of negotiations between landlords' and tenants' advocates. We thank all the parties involved, and especially Sen. Browne and his staff, for reaching consensus and moving the bill forward. We now have a good and balanced law that protects both tenants and landlords and provides certainty where none existed.