

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1168 Session of
2020

INTRODUCED BY KILLION, ARGALL, SCAVELLO, YAW, FARNESE AND
SCHWANK, JUNE 4, 2020

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
JUNE 4, 2020

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in COVID-19 disaster emergency,
3 providing for COVID-19 Emergency Rental Assistance Program;
4 and imposing duties on the Pennsylvania Housing Finance
5 Agency.

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

8 Section 1. Chapter 57 of Title 35 of the Pennsylvania
9 Consolidated Statutes is amended by adding a subchapter to read:

10 SUBCHAPTER F

11 COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM

12 Sec.

13 5751. Definitions.

14 5752. Purpose.

15 5753. Program.

16 5754. Qualifications of eligible persons.

17 5755. Amount of funds to be dispersed.

18 5756. Disbursement of funds.

19 5757. Repayment of funds dispersed.

1 § 5751. Definitions.

2 The following words and phrases when used in this subchapter
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Agency." The Pennsylvania Housing Finance Agency.

6 "COVID-19." The coronavirus disease 2019, an infectious
7 disease caused by severe acute respiratory syndrome coronavirus
8 2 that was first identified during December 2019 in Wuhan,
9 China.

10 "Program." The Emergency Rental Assistance Program
11 established by this subchapter.

12 § 5752. Purpose.

13 The purpose of this subchapter is to help this Commonwealth's
14 residential tenants who experienced a financial setback
15 attributable to COVID-19 and are unable to pay their rent
16 because of their financial setback. The funds dispersed by the
17 program shall be used solely for the purpose of providing
18 emergency rental assistance to residential tenants of this
19 Commonwealth.

20 § 5753. Program.

21 (a) Establishment.--The Emergency Rental Assistance Program
22 is established and shall be administered by the agency.

23 (b) Applications.--A tenant who is eligible under section
24 5754 (relating to qualifications of eligible persons) must apply
25 on a form prescribed by the agency for assistance under the
26 program.

27 (c) Documentation.--The tenant must provide the necessary
28 information and documentation to the agency with the application
29 before funds are dispersed.

30 (d) Verification.--The agency shall verify with landlords of

1 tenants who apply for the program the amount of rent owed or
2 past due.

3 (e) Funding.--The agency shall identify amounts of Federal
4 Government assistance provided to this Commonwealth with regard
5 to the COVID-19 pandemic which may be available for the purposes
6 of this program and allocate those amounts to the program.

7 § 5754. Qualifications of eligible persons.

8 The following tenants who reside in a residential property in
9 this Commonwealth owned by a landlord and who are more than 30
10 days past due on their rent shall be eligible for the program if
11 the tenant:

12 (1) Either:

13 (i) is served with a summons and complaint for
14 eviction for lack of payment of rent due to circumstances
15 relating to COVID-19; or

16 (ii) the household is unable to make rental payments
17 due to circumstances relating to COVID-19; and

18 (2) Has a household annualized current income of no more
19 than the upper limit of "medium income" as defined in
20 guidelines published annually by the United States Department
21 of Housing and Urban Development.

22 § 5755. Amount of funds to be dispersed.

23 (a) Funding formula.--The agency shall devise a formula for
24 the distribution of funds based on fair market rents in each
25 county, according to the most recent fair market rents published
26 by the Department of Housing and Urban Development.

27 (b) Publication.--The agency shall transmit a notice of the
28 formula used to the Legislative Reference Bureau for publication
29 in the Pennsylvania Bulletin.

30 § 5756. Disbursement of funds.

1 (a) General rule.--Upon verification of the amount of rent
2 due and a determination that an applicant satisfies all program
3 requirements under section 5754 (relating to qualifications of
4 eligible persons), the agency shall disburse a payment of
5 program funds directly to the landlord on the tenant's behalf.

6 (b) Receipt of payment.--The landlord shall provide a copy
7 of the disbursement directly to the tenant.

8 (c) Application of payment.--A landlord that accepts payment
9 from the agency under this act shall apply the payment to the
10 tenant's balance owed or past due.

11 § 5757. Repayment of funds dispersed.

12 An eligible person shall not be required to reimburse the
13 Commonwealth for money paid on behalf of the tenant under this
14 subchapter, even if the eligible person's circumstances make the
15 eligible person capable of paying back the funds to the
16 Commonwealth at a future date.

17 Section 2. This act shall take effect immediately.