
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 608 Session of
2013

INTRODUCED BY BROWNE, YAW, GREENLEAF, WASHINGTON, ERICKSON,
SCHWANK, FONTANA, YUDICHAK, BREWSTER, WAUGH, ALLOWAY, BAKER,
COSTA, FARNESE, SOLOBAY AND TARTAGLIONE, MARCH 1, 2013

REFERRED TO FINANCE, MARCH 1, 2013

AN ACT

1 Providing for the tax sale of abandoned properties.

2 The General Assembly finds and declares as follows:

3 (1) Pennsylvania's older communities are vital to the
4 Commonwealth's economic health by providing a focal point for
5 businesses and services, and to the Commonwealth's quality of
6 life with their rich histories and diversity. However, many
7 older communities suffer from blighted properties that have
8 been abandoned by their owners.

9 (2) The citizens of this Commonwealth are adversely
10 affected by abandoned, blighted and tax-delinquent
11 residential, commercial and industrial properties, including
12 those citizens who live or work in proximity to substandard
13 buildings, as well as those who own property in the vicinity
14 of the buildings.

15 (3) Abandoned, blighted and tax-delinquent residential,
16 commercial and industrial structures pose a safety threat and
17 public nuisance, and their blighting effect diminishes the

1 value of nearby property.

2 (4) If these buildings are not demolished or
3 rehabilitated and brought into code compliance, they are
4 likely to remain abandoned and further deteriorate, resulting
5 in increased cost to the Commonwealth, municipality and
6 taxpayers to secure and ultimately demolish these buildings.

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

9 (6) Providing a mechanism to remove or transform
10 abandoned, blighted and tax-delinquent buildings into
11 productive reuse is an opportunity for communities to
12 modernize, revitalize and grow, and to improve both the local
13 economy and the quality of life for neighbors.

14 (7) The General Assembly declares that it is in the best
15 interests of the Commonwealth, municipalities and communities
16 to establish a process, as set forth under this act, for
17 declaring properties abandoned and ensuring that the
18 properties, when purchased at tax sale, will be demolished or
19 rehabilitated and returned to productive use.

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

22 Section 1. Short title.

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

25 Section 2. Definitions.

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

29 "Abandoned property."

30 (1) A property on which there is a building that has not

1 been legally occupied for at least the previous 12 months and
2 the municipality finds at least one of the following:

3 (i) The building is a public nuisance.

4 (ii) The building is in need of substantial
5 rehabilitation and no rehabilitation has taken place
6 during the previous 12 months.

7 (iii) The building is unfit for human habitation,
8 occupancy or use.

9 (iv) The condition and vacancy of the building
10 materially increases the risk of fire to the building and
11 to adjacent properties.

12 (v) The building is subject to unauthorized entry
13 leading to potential health and safety hazards, and the
14 owner has failed to take reasonable and necessary
15 measures to secure the building or the municipality has
16 secured the building in order to prevent the hazards
17 after the owner has failed to do so.

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

21 (vii) The presence of vermin or the accumulation of
22 debris, uncut vegetation or physical deterioration of the
23 structure or grounds has created potential health and
24 safety hazards, and the owner has failed to take
25 reasonable and necessary measures to remove the hazards.

26 (viii) The dilapidated appearance or other condition
27 of the building negatively affects the economic well-
28 being of residents and businesses in close proximity to
29 the building, including decreases in property value and
30 loss of business, and the owner has failed to take

1 reasonable and necessary measures to remedy the
2 conditions.

3 (ix) The property is an attractive nuisance for
4 illicit purposes, including prostitution, drug use and
5 vagrancy.

6 (2) The term shall include structures if the structures
7 are the only improvements on the property.

8 (3) The term shall not include auxiliary structures
9 which are incidental to the main building on the property.

10 "Municipality." Any city of the first, second, second class
11 A or third class, any incorporated town, any township of the
12 first or second class and any borough.

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

17 Section 3. Publication of notice and review by municipality.

18 (a) List.--At least 60 days prior to the date scheduled for
19 a tax sale, the county shall make public a list of properties to
20 be offered at the sale. The county shall provide a copy of the
21 list to the mayor, or comparable municipal official, of any
22 municipality in which a property scheduled for sale is located.

23 (b) Notification.--Within 30 days of receipt of the list
24 under subsection (a), the municipality may notify the county of
25 any abandoned properties within its jurisdiction.

26 (c) Sale.--No less than 15 days prior to the scheduled tax
27 sale, the county shall make public a revised list of properties
28 to be offered for sale indicating which are abandoned.

29 Section 4. Requirements for purchaser of abandoned properties.

30 In addition to any other requirements of the act of May 16,

1 1923 (P.L.207, No.153), referred to as the Municipal Claim and
2 Tax Lien Law, the act of July 7, 1947 (P.L.1368, No.542), known
3 as the Real Estate Tax Sale Law, or the act of October 11, 1984
4 (P.L.876, No.171), known as the Second Class City Treasurer's
5 Sale and Collection Act, the purchaser of an abandoned property
6 shall do all of the following:

7 (1) Within 30 days of the sale and prior to the transfer
8 of title, enter into a redevelopment agreement with the
9 municipality in which the property is located or, at the
10 option of the municipality, with the redevelopment authority
11 obligating the purchaser to redevelop the property in
12 accordance with all municipal codes and any officially
13 adopted plans for the geographic area in which the property
14 is located. If the municipality or the redevelopment
15 authority determines that demolition of the building is
16 appropriate, the purchaser may demolish instead of
17 redeveloping the property. The redevelopment plan shall
18 include all of the following at a minimum:

19 (i) A specified time by which the redevelopment or
20 demolition must be completed.

21 (ii) A description of the redevelopment work or
22 demolition to be completed.

23 (iii) Remedies for noncompliance, including the
24 right of the municipality or redevelopment authority to
25 acquire title to the property if the redevelopment or
26 demolition is not completed by the agreed-upon date.

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

1 Section 20. Effective date.

2 This act shall take effect in 90 days.