

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
SECOND JUDICIAL DISTRICT**

IN RE: LANDLORD TENNANT : No. A.D. 33-2020
MATTERS AND MANUFACTURED :
HOME COMMUNITY RIGHTS : Supreme Court Docket No. 44 MM 2020

ADMINISTRATIVE ORDER

AND NOW, this 27th day of May, 2020, pursuant to this Court's authority during the Declaration of Judicial Emergency, and consistent with the Governor's Executive Order of May 7, 2020, as amended May 21 2020, and the federal Coronavirus Aid, Relief and Economic Security Act ("CARES Act") (P.L. 116-136), it is hereby ORDERED as follows:

1. On March 27, 2020, the President of the United States signed the CARES Act which provides for a 120-day period beginning on March 27, 2020, during which a landlord of a "covered dwelling"¹ cannot (1) initiate a legal action to recover possession of the covered dwelling from the tenant for nonpayment of rent, or impose any fees, penalties or other charges on a tenant for late payment of rent, (2) require a tenant to vacate a covered dwelling before the date that is 30 days after the date the tenant provided a notice to vacate, and (3) issue a notice to vacate until after the expiration of the 120-day period;

CLERK OF COURTS
2020 MAY 27 AM 10:59
LANCASTER COUNTY, PA

¹ The CARES Act defines "covered dwelling" as (1) a dwelling that is occupied by tenant pursuant to a residential lease or without a lease or with a lease that is terminable under State law and (2) is in or on a "covered property." The term "covered property" is defined as any property that participates in (1) a covered housing program defined in section 41411(a) of the Violence Against Women Act of 1994, or (2) the rural housing voucher program under section 542 of the Housing Act of 1949, or (3) has a federally backed mortgage loan or a federally backed multi-family mortgage loan.

2. On May 11, 2020, the notice requirements mandated by the Landlord and Tenant Act of 1951 and the Manufactured Home Community Rights Act were stayed by the Governor for 60 days. Additionally, all eviction proceedings requiring compliance with the Landlord and Tenant Act of 1951 were stayed for 60 days. As a result, the ability to commence the timelines necessary for the initiation of eviction proceedings for (1) non-payment of rent and (2) the failure of a tenant to vacate the premises at the end of the lease has been tolled for 60 days, or until July 10, 2020;

3. All eviction timelines for cases involving the non-payment of rent and the failure of a tenant to vacate the premises at the end of the lease must be computed with a start date of July 10, 2020, at which point any previously delivered Landlord and Tenant Act of 1951 and Manufactured Home Community Rights Act notices will be deemed to have been delivered and any eviction proceedings may commence, subject to the limitations below;

4. Effective June 1, 2020, the Court shall accept for filing new nonresidential landlord tenant cases and residential landlord tenant cases for breach of a condition of the lease in which the leased property is not a “covered property” under Section 4024 of the CARES Act;

5. Effective June 1, 2020, all complaints previously filed through March 26, 2020, pursuant to the Landlord and Tenant Act of 1951 and the Manufactured Home Community Rights Act, may proceed from that point forward in the normal course of action;

6. Effective June 1, 2020, all complaints previously filed between March 27, 2020, and May 10, 2020, pursuant to the Landlord and Tenant Act of 1951 and the

Manufactured Home Community Rights Act, and which are compliant with the CARES Act, may proceed from that point forward in the normal course of action;

7. Effective July 10, 2020, the Court shall accept for filing new nonresidential landlord tenant cases and residential landlord tenant cases in which the leased property is not a “covered property” under Section 4024 of the CARES Act;

8. Effective August 26, 2020, the Court shall accept for filing residential landlord tenant cases in which the leased property is a “covered property” under the CARES Act;

9. On May 11, 2020, the notice requirements mandated by the Loan Interest and Protection Law (Act 6) and the Homeowners Emergency Assistance Act (Act 91) were stayed by the Governor for 60 days, thereby tolling the ability to commence the timelines necessary for the initiation of foreclosure actions for 60 days, or until July 10, 2020;

10. All foreclosures requiring compliance with Act 6 and Act 91 must be computed with a start date of July 10, 2020, at which point any previously delivered Act 6 and Act 91 notices will be deemed to have been delivered and any foreclosure process may commence, and may proceed from that point forward in the normal course of action;

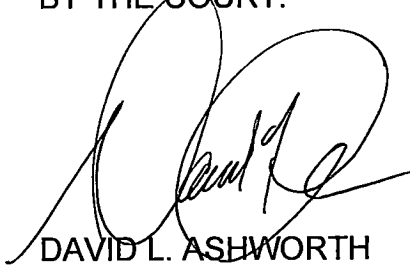
11. No final disposition may be entered in ejectment actions filed after March 16, 2020, until July 10, 2020. No hearings will take place before July 10, 2020.

12. The issuance of residential writs of possession and the execution or enforcement of residential writs of possession which were stayed by Administrative

Orders issued on March 18, 2020, March 24, 2020, April 1, 2020, and April 24, 2020, will resume on June 1, 2020; and

13. In actions raising landlord tenant, ejectment and mortgage foreclosure claims filed in the Court of Common Pleas before May 11, 2020, no final disposition may be ordered until July 10, 2020.

BY THE COURT:



DAVID L. ASHWORTH
PRESIDENT JUDGE

Attest: *Donna Bora, deputy*

Copies to: Lancaster County Board of Judges
Lancaster County Magisterial District Judges
Lancaster County District Court Administrator
Lancaster County Clerk of Courts
Lancaster County Prothonotary
Lancaster County Register of Wills
Lancaster County Clerk of the Orphans' Court
Lancaster County Sheriff
Lancaster County District Attorney
Lancaster County Public Defender
Lancaster County Adult Probation & Parole Services
Lancaster County Office of Juvenile Probation
Lancaster County Children and Youth Social Service Agency
Lancaster County Prison
Lancaster County Board of Commissioners
Lancaster County Solicitor