

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA

IN RE: 32nd JUDICIAL DISTRICT : PA SUPREME COURT NO. 30 MM 2020
:
Staying of Residential Property :
Eviction and/or Possession Orders :
*Extended*¹ : DELAWARE COUNTY NO. 5120-17

**FOURTH ORDER EXTENDING STAY OF RESIDENTIAL PROPERTY EJECTMENT,
EVICTION AND/OR POSSESSION; AND STAY OF LEVY AND/OR ATTACHMENT
OF PERSONAL PROPERTY**

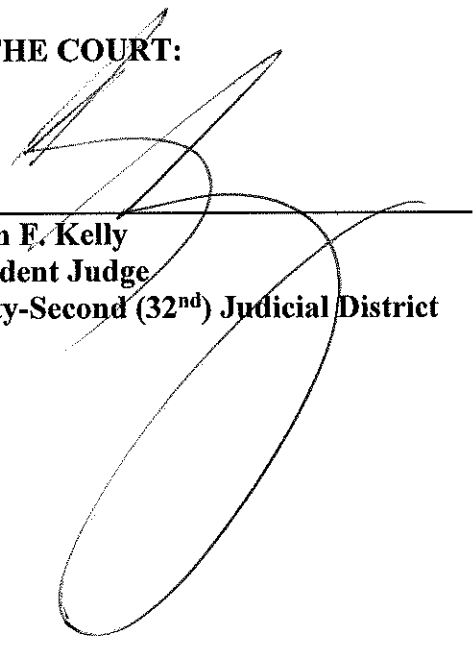
AND NOW, this 10th day of July, 2020, this court having previously declared in the 32nd judicial district (Delaware County) a judicial emergency and more recently once more extended that emergent declaration pursuant to such an order of the Pennsylvania Supreme Court sanctioning the same,² as well as Pa.R.J.A. No. 1952(B)(1)(2), and this court thus still having those authorities detailed under Pa.R.J.A. No. 1952(B)(2)(a-s), it is hereby **ORDERED** and **DECREED** in consultation with the civil liaison judge that **EFFECTIVE IMMEDIATELY** and continuing through and including **AUGUST 31, 2020**, **ALL** execution of orders for eviction, ejectment, and/or possession of *residential properties* and/or *leasehold premises*, as well the levy and/or attachment of residential personal property in Delaware County are **STAYED**.³

That directed above as subsequent material circumstances warrant and/or it otherwise believes appropriate may be revisited by this court and modified to meet the evolving concerns presented by the ongoing COVID-19 public health crisis.

To the extent possible and practical under the material circumstances, notice of this order has been and/or will promptly be posted about the Delaware County courthouse, including but not limited to the complex's entry doors, the Delaware County Office of Judicial Support, the

Court Administrator's Office of Delaware County, the Criminal Court Administrator's Office, the court's website, all magisterial district court facilities within Delaware County, the Delaware County Bar Association's website, and submitted to the Administrative Office of Pennsylvania Courts ("AOPC") for posting on the Commonwealth's Unified Judicial System's website per Pa.R.J.A. No. 1952(C)(5).⁴

BY THE COURT:



Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District

¹ See Emergency Order Staying Residential Property Ejectments ... dated March 18, 2020; Order Extending Emergency Stay of Residential Property Ejectments ... dated April 3, 2020; Second Order Extending Emergency Stay of Residential Ejectments ... dated April 28, 2020; and Third Order Extending Stay of Residential Ejectments ... dated June 1, 2020.

² See Orders dated March 16, 2020, pp. 1-2; March 18, 2020, pp. 1-3; April 1, 2020, pp. 1-3; April 28, 2020, pp. 2-5; and May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; Emergency Declaration dated March 17, 2020; Emergency Declaration Extension dated April 2, 2020; Second Emergency Declaration Extension dated April 28, 2020; Third Emergency Declaration Extension dated May 27, 2020; and Fourth Emergency Declaration Extension dated July 8, 2020. See also Pa.R.J.A. No. 1952(B)(1)(2).

³ See Order dated May 27, 2020, pp. 1-3 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket; Pa.R.J.A. No. 1952(B)(2)(h)(k)(q); and *Philadelphia Inquirer*, May 13, 2020, Section B, p. 1 (“Infections great at Delco Jail – Jail: Nearly half of inmates tested has virus”; infection rate 50 times that of population at large.”); May 16, 2020, Section A, pp. 1, 4 (“Over that past 14 days, Delaware County has on average 275 cases for each 100,000 residents ... significantly higher than the suburban counties surrounding it.”); May 19, 2020, Section A, pp. 1, 6 (“Virus Rate Remains Stubbornly High in Delaware County”); May 22, 2020, Section A, pp. 1, 9 (“Delaware County trails Philadelphia and the other counties in flattening the curve of new cases.”); July 2, 2020, Section A, pp. 1, 6 (“... Pa. reports biggest-one day increase since June 5 ... Cases ... June 1 ... July 1 ... Change ... +8%.”); and July 8, 2020, Section A, pp. 1, 6 (Delaware County infection rate increases from 23 to 32 per 100,000 persons.). See also Gubernatorial Order dated July 9, 2020, effective immediately through August 31, 2020 (This second such executive order similar to that of May 7, 2020, effective May 11, 2020, stays under the Landlord and Tenant Act, 68 Pa.C.S. §§250.101 *et seq.*, the Manufactured Home Community Rights Act, 68 Pa.C.S. §§398.1 *et seq.*, the Loan Interest and Protection Law, 41 Pa.C.S. §§101 *et seq.*, and Homeowners Emergency Assistance Act, 35 Pa.C.S. §§1680.41 *et seq.*, certain notice requirements necessary to such complaints being lodged with the court, as well as precludes all eviction proceedings requiring compliance with these statutory provisions.). See additionally Gubernatorial Order dated May 7, 2020, effective May 11, 2020; and *Private Properties, et al. v. Tom Wolf, Governor ...*, Pennsylvania Supreme Court, No. 90 MM 2020.

⁴ See Orders dated March 16, 2020, p. 2; April 1, 2020, pp. 2-3; April 28, 2020, p. 3; and May 27, 2020 p. 2, Fn. 1 – Pennsylvania Supreme Court, Nos. 531 and 532, Judicial Administration Docket.