

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: 27<sup>TH</sup> JUDICIAL DISTRICT )  
TEMPORARY PROCEDURES ) Nos. 2020-1  
REGARDING CERTAIN ) 24 W.M. 2020  
RESIDENTIAL LANDLORD )  
TENANT ACTIONS )

**FILED**  
**SEP 15 2020**  
L. H. HOUGH  
PROTHONOTARY

**ADMINISTRATIVE ORDER**

AND NOW, this 15th day of September 2020, pursuant to Pa. R.J.A. No. 1952 (B)(2), this Court having declared a judicial emergency in the 27<sup>th</sup> Judicial District of Pennsylvania through December 31, 2020, and the Centers for Disease Control and Prevention (“CDC”) having issued an Order on September 4, 2020, temporarily halting certain evictions nationwide to prevent the further spread of COVID-19, it is hereby **ORDERED, ADJUDGED, and DECREED** that residential landlord tenant actions will be accepted for filing within the 27<sup>th</sup> Judicial District pursuant to the applicable statutes and rules governing those actions, subject to the restrictions in this Order and the CDC Order.

The magisterial district court or Court of Common Pleas must determine whether the CDC Order applies to the landlord tenant action filed. Prior to accepting a new residential landlord tenant action for filing, the Court shall require a landlord to provide a signed affidavit stating whether they have received a Declaration Form from a tenant pursuant to the CDC Order.

The CDC Order does not apply if: (1) a landlord provides the signed affidavit, stating a tenant has not provided a proper Declaration Form under the CDC Order; and (2) a tenant does not provide to the Court a proper Declaration Form under the CDC Order, as described below.

The CDC Order does apply if either a landlord states in the signed affidavit that a tenant provided the Declaration Form under the CDC Order, or if a tenant provides a proper Declaration Form under the CDC Order to the Court at or before the hearing.

**I. Applicable Procedures When CDC Order Does Not Apply**

The procedures below apply to those residential landlord tenant actions at a magisterial district court that are based on the non-payment of rent and where the CDC Order is not applicable to the matter.

1. Initial hearing dates for residential landlord tenant actions filed at the magisterial district courts where the action is based solely on non-payment of rent shall be scheduled at the latest available landlord tenant court date consistent with Pa. R.C.P.M.D.J. 504 and may be scheduled up to seven (7) days beyond the time limit set forth in Rule 504 at the discretion of the magisterial district judge.
2. In such cases, if at the initial hearing the tenant provides an affidavit or testifies under oath affirming that the tenant has submitted or will submit an application for rental assistance through any available rental assistance programs, the case shall be continued to a later date. Multiple continuances may be granted as the circumstances allow.

**II. Applicable Procedures When CDC Order Does Apply**

The procedures in this section apply to residential landlord tenant actions at a magisterial district court or the Court of Common Pleas where the action is based on non-payment of rent and the tenant complies with the requirements of the CDC order.

If a landlord states in a signed affidavit that the landlord has received a Declaration form from a tenant pursuant to the CDC Order, or if the tenant complies with the requirements

of the CDC Order and provides a copy of the Declaration Form required under the CDC Order to the Court at or before the hearing, or if the Court otherwise determines that the tenant has provided such a Declaration Form to the landlord:

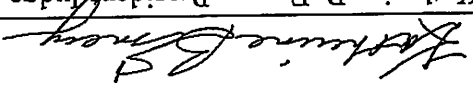
1. In cases at the magisterial district court, the action may be accepted for filing, but the case shall be stayed until **after** the expiration of the CDC Order;
2. In cases at the Court of Common Pleas, the action may be accepted for filing, but the case shall be stayed until **after** the expiration of the CDC Order;
3. A Writ or Order of Possession shall not be issued and any previously issued Writ or Order of Possession shall be considered stayed and shall not be executed until after the expiration of the CDC Order;
4. In the Court of Common Pleas, all motions related to residential landlord tenant actions are temporarily reassigned to Judge Michael Lucas.

Information regarding the CDC Order and a downloadable Declaration Form for use by a tenant can be found at <https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>. Information about the Pennsylvania Housing Finance Agency's rent relief program can be found here: <http://phfa.org/pacares/rent.aspx>; a listing of contacts by county is at the following link: <https://www.phfa.org/forms/pacares/rental/rrp-county-contact-list.pdf>. Local information about rental assistance and other services, such as the "Rent Relief Program," "Homeless Assistance Program," and "Emergency Shelter Grant" can be obtained from Blueprints at <https://myblueprints.org>, or 877-814-0788 (toll free) and 724-225-9550. The Regional Housing Legal Services has also compiled information about the federal eviction moratorium and provides links by county to local legal aid providers: <https://www.rhls.org/coronavirus-information>.

This Order shall become effective immediately and shall remain in effect until further

Order of Court.

BY THE COURT:

  
Katherine B. Emery, President Judge  
P.J.