

**SUPPLEMENTAL INSTRUCTIONS FOR
OBTAINING A STAY OF EVICTION**

******IMPORTANT****PLEASE READ
THESE INSTRUCTIONS CAREFULLY!**

This document contains important information about your case. Failure to comply with any instructions provided in these materials may cause you to be evicted before your appeal or writ is heard.

1. FOR TENANTS - SUPERSEDEAS: If you are a tenant and you filed the notice of appeal or *praecipe* for writ of *certiorari*, you must pay money into an escrow account to remain in the property until your appeal or writ is decided. This is called a "*supersedeas*." The *supersedeas* will suspend the magisterial district court judgment and will prevent your eviction until your case is heard by a judge and a final decision is made on the appeal or writ. **IF YOU FAIL TO PAY YOUR MONTHLY RENT INTO ESCROW IN FULL AND ON TIME, YOU COULD BE EVICTED BEFORE YOUR APPEAL OR WRIT IS HEARD.**

Begin by looking at the income limits attached to these instructions.

**ENSTRIKSYON SIPLEMANTÈ POU
JWENN YON SISPANSYON
DEGÈPISMAN**

******ENPÒTAN****TANPRI PRAN SAN W
POU LI ENSTRIKSYON SA YO!**

Dokiman sa a gen enfòmasyon enpòtan sou ka w la. Si w pa respekte enstriksyon yo bay nan dokiman sa yo, sa ka fè yo degèpi ou anvan yo tande apèl jiridik oswa òdonans ou an.

1. POU LOKATÈ - SUPERSEDEAS: Si w se yon lokatè epi ou te depoze yon avi pou apèl jiridik oswa *praecipe* pou òdonans *certiorari*, ou dwe peye kòb nan yon kont depo alavans pou rete nan pwopriyete a jiskaske yo pran desizyon sou apèl jiridik oswa òdonans ou an. Yo rele sa "*supersedeas*." *Supersedeas* la pral sispann jijman tribinal distri majistral la epi li pral anpeche degèpisman w lan jiskaske yon jij tande ka w la epi pran yon desizyon final sou apèl jiridik oswa òdonans lan. **SI W PA PEYE LWAYE CHAK MWA W LA NAN DEPO ALAVANS LAN AN PLEN EPI ATAN, YO KAPAB DEGÈPI W ANVAN YO TANDE APÈL JIRIDIK OSWA ÒDONANS OU AN.**

Kòmanse nan gade limit revni ki nan enstriksyon sa yo.

If your income is below the income limits, complete a Tenant's Affidavit, pursuant to Pa.R.C.P.M.D.J. No. 1008(C)(2) or 1013(C)(2). These affidavits are available on the website of the Unified Judicial System of Pennsylvania at <http://www.pacourts.us/forms/for-the-public>. Then follow the instructions for low-income tenants below. There are several different options available; pick the option (A, B, or C) that best describes your situation.

If your income is higher than the income limits attached to these instructions, follow the instructions for D.

A. If you are a low-income tenant and there was a money judgment entered against you for non-payment of rent, and you HAVE NOT paid rent for the month in which the notice of appeal or *praecipe* for writ of *certiorari* is filed, you must:

1. File an *in forma pauperis* petition (a petition for low-income parties) pursuant to Pa.R.C.P. No. 240;
2. Pay one-third of your monthly rent into an escrow account with the prothonotary's office at the time the notice of appeal or *praecipe* for writ of *certiorari* ("*praecipe*") is

Si revni ou anba limit revni yo, ranpli yon Afidavid Lokatè, selon Pa.R.C.P.M.D.J. Nimewo 1008(C)(2) oswa 1013(C)(2). Afidavid sa yo disponib sou sitwèb Sistèm Jidisyè Inifye Pennsylvania a nan <http://www.pacourts.us/forms/for-the-public>. Apresa, suiv enstriksyon pou lokatè ki gen revni ba yo anba a. Gen plizyè opsyon diferan ki disponib, chwazi opsyon (A, B, oswa C) ki pi byen dekri sitiyasyon w lan.

Si revni ou pi wo pase limit revni ki nan enstriksyon sa yo, suiv enstriksyon pou opsyon D a.

A. Si w se yon lokatè ki gen revni ki ba epi te gen yon jijman pou kòb yo antre kont ou paske ou pa t peye lwaye, epi ou PA T peye lwaye pou mwa kote yo depoze avi pou apèl jiridik la oswa *praecipe* pou òdonans *certiorari*, ou dwe:

1. Depoze yon petisyon *in forma pauperis* (yon petisyon pou pati ki gen revni ba yo) selon Pa.R.C.P. Nimewo. 240;
2. Peye yon tyè nan kòb lwaye chak mwa w la nan yon kont depo alavans nan biwo pwotonotè a nan moman yo depoze avi pou apèl jiridik la oswa *praecipe* pou

filed;

3. Pay the remaining two-thirds (2/3) of your monthly rent into the escrow account within twenty (20) days of the date the notice of appeal or *praecipe* was filed; and

4. Pay your monthly rent on an ongoing basis into the escrow account in thirty (30) day intervals from the date the notice of appeal or *praecipe* was filed until the time of your trial.

B. If you are a low-income tenant, and there was a money judgment against you for non-payment of rent, and you HAVE paid rent for the month in which the notice of appeal or *praecipe* for writ of *certiorari* ("*praecipe*") is filed, you do not have to pay rent at the time you file your notice of appeal or *praecipe*. You must:

1. File an *in forma pauperis* petition (a petition for low-income parties), pursuant to Pa.R.C.P. No. 240;

2. Pay your monthly rent on an ongoing basis into an escrow account with the prothonotary in thirty (30) day intervals from the date the notice of appeal or *praecipe* was filed until the time of trial. It is important to count the thirty (30) days exactly because the date of your payment will change depending on the number of

òdonans *certiori* ("*praecipe*");

3. Peye rès detyè (2/3) nan kòb lwaye chak mwa w lan nan kont depo alavans lan nan espas ven (20) jou apre dat ou te depoze avi pou apèl jiridik la oswa *praecipe*; epi

4. Peye kòb lwaye chak mwa w la san rete nan kont depo alavans lan nan espas trant (30) jou apati dat ou te depoze avi pou apèl jiridik la oswa *praecipe* a jiskaske lè odyans ou an rive

B. Si w se yon lokatè ki gen revni ki ba epi te gen yon jijman pou kòb yo antre kont ou paske ou pa t peye lwaye, epi ou TE peye lwaye pou mwa kote yo depoze avi pou apèl jiridik la oswa *praecipe* pou òdonans *certiorari* ("*praecipe*"), ou pa oblije peye kòb lwaye a nan moman ou depoze avi pou apèl jiridik ou an oswa *praecipe*. Ou dwe:

1. Depoze yon petisyon *in forma pauperis* (yon petisyon pou pati ki gen revni ba yo) selon Pa.R.C.P. Nimewo 240;

2. Peye kòb lwaye chak mwa w la san rete nan yon kont depo alavans kay pwotonotè a nan espas trant (30) jou apati dat ou te depoze avi pou apèl jiridik la oswa *praecipe* a jiskaske lè pwosè a rive. Li enpòtan pou w konte trant (30) jou yo ak presizyon paske dat peman w lan pral chanje an fonksyon kantite jou ki nan yon

days in a given month.

C. If you are a low-income tenant, and no money judgment was entered against you for non-payment of rent, you do not have to pay rent at the time you file your notice of appeal or *praecipe* for writ of *certiorari* ("*praecipe*"). *This option is to be used if at the magisterial district court hearing, the judge determined that you owed "zero" or "nothing" in rent. You must:*

1. File an *in forma pauperis* petition (a petition for low-income parties), pursuant to Pa.R.C.P. No. 240;
2. Pay your monthly rent on an ongoing basis into an escrow account with the prothonotary in thirty (30) day intervals from the date the notice of appeal or *praecipe* was filed until the time of trial. It is important to count the thirty (30) days exactly because the date of your payment will change depending on the number of days in a given month.

D. If your income is higher than the income limits on the attached chart, you must:

1. Pay the fee to file a notice of appeal or *praecipe* for writ of *certiorari* ("*praecipe*");
2. Pay the lesser of three (3) months' rent or the amount of rent awarded to the landlord in magisterial district court into an escrow account with the prothonotary's

mwa kèlkonk.

C. Si w se yon lokatè ki gen revni ki ba epi pa t gen okenn jijman pou kòb yo antre kont ou paske ou pa t peye lwaye, ou pa oblije peye lwaye nan moman ou depoze avi pou apèl jiridik la oswa *praecipe* pou òdonans *certiorari* ("*praecipe*"). *Ou dwe itilize opsyon sa a si pandan yon odyans tribinal distri majistral, jij la te detèmine ou pa te dwe "okenn" kòb lwaye. Ou dwe:*

1. Depoze yon petisyon *in forma pauperis* (yon petisyon pou pati ki gen revni ba yo) selon Pa.R.C.P. Nimewo 240;
2. Peye kòb lwaye chak mwa w la san rete nan yon kont depo alavans kay pwotonotè a nan espas trant (30) jou apati dat ou te depoze avi pou apèl jiridik la oswa *praecipe* a jiskaske lè pwosè w la rive. Li enpòtan pou w konte trant (30) jou yo ak presizyon paske dat peman w lan pral chanje an fonksyon kantite jou ki nan yon mwa kèlkonk.

D. Si revni ou pi wo pase limit revni ki nan tablo ki atache a, ou dwe:

1. Peye frè pou depoze yon avi pou apèl jiridik oswa *praecipe* pou òdonans *certiorari* ("*praecipe*");
2. Peye montan ki pi piti nan kòb lwaye twa (3) mwa oswa montan kòb lwaye yo bay mèt kay la nan tribinal distri majistral la nan yon kont depo alavans nan biwo

office at the time the notice of appeal or *praecipe* is filed; and

3. Pay your monthly rent into the escrow account in thirty (30) day intervals from the date the notice of appeal or *praecipe* was filed until the time of trial. It is important to count the thirty (30) days exactly because the date on your payment will change depending on the number of days in a given month.

pwotonotè a nan moman ou depoze avi pou apèl jiridik la oswa *praecipe* a; epi

3. Peye kòb lwaye chak mwa w la nan kont depo alavans lan nan espas trant (30) jou apati dat ou te depoze avi pou apèl jiridik la oswa *praecipe* a jiskaske lè odyans lan rive. Li enpòtan pou w konte trant (30) jou yo ak presizyon paske dat peman w lan pral chanje an fonksyon kantite jou ki nan yon mwa kèlkonk.

INCOME LIMITS / LIMIT REVNI YO

**2022 HHS Poverty Income Guidelines Expressed in Monthly Amounts /
Limit Revni Lamizè HSS ki Eksprime an Montan Chak Mwa pou 2022**

Size of Family Unit <i>Kantite Moun ki nan Fanmi an</i>	Poverty Guideline Monthly Amount <i>Montan Chak Mwa pou Limit Lamizè</i>
1	\$ 1,132.50
2	1,525.83
3	1,919.17
4	2,312.50
5	2,705.83
6	3,099.17
7	3,492.50
8	3,885.83
For each additional person, add <i>Pou chak moun anplis, ajoute</i>	393.33