

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
ADMINISTRATIVE DOCKET

IN RE: FIFTH JUDICIAL DISTRICT)
TEMPORARY PROCEDURES)
REGARDING CERTAIN RESIDENTIAL)
LANDLORD TENANT ACTIONS)
)

NO. AD- 21- 110

CLERK OF COURT REC'D
CIVIL FAMILY DIVISION
ALLEGHENY COUNTY, PENNSYLVANIA

2021 AUG -9 AM 8:19

FILED

ORDER OF COURT

AND NOW, this 6th day of August 2021, this Court recognizes that rent assistance through the Emergency Rental Assistance Program and other programs is available for landlords and tenants in Allegheny County and that landlords and tenants may require time to apply for such assistance and additional time for their applications to be processed. This Court further recognizes that on August 4, 2021, the Centers for Disease Control and Prevention (CDC) issued a new Order temporarily halting certain evictions in certain areas to prevent further spread of COVID-19. Therefore, pursuant to the Pennsylvania Supreme Court Order of August 6, 2021 granting authorization for this Administrative Order the following is hereby **ORDERED, ADJUDGED and DECREED**.

The procedures below in items 1 through 7 apply to those residential landlord tenant actions at a Magisterial District Court where the action is based, at least in part, on non-payment of rent.

1. Initial hearing dates for residential landlord tenant actions filed at the Magisterial District Courts to which these procedures apply 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 fifteen (15) days beyond the time limit set forth in Rule 504, if the Magisterial

District Judge finds it necessary due to the volume of cases already scheduled.

2. If at the initial hearing in these cases, the tenant indicates that the tenant has submitted or will submit an application for rental assistance under the Emergency Rental Assistance Program or any other rental assistance program, the initial hearing date shall be used as a status conference rather than a hearing. During the status conference the Emergency Rental Assistance Program and other rental assistance programs shall be considered by the parties. The Allegheny County Department of Human Services shall provide information and assistance regarding the application processes.
3. Any initial hearing previously scheduled on residential landlord tenant actions to which these procedures apply shall be treated as a status conference in the manner described in this Order.
4. If, at the status conference, the Court finds that an application for rental assistance has been submitted or will be made, the case shall be continued to allow for sufficient time for the application to be processed. Multiple continuances may be granted to allow for sufficient time for the application to be processed and the rent relief to be provided. A hearing shall not occur while good faith efforts are being made to obtain assistance that would be reasonably likely to prevent the eviction under Pa.R.C.P.M.D.J. 518.
5. If an existing residential landlord tenant action to which these procedures apply has not otherwise been postponed pending application for or receipt of rental assistance pursuant to the procedures above, then a party may request a continuance of the proceedings, including the execution of an Order of Possession. Such request must assert that an application for rental assistance has been submitted and the existence of the application must be verified with the Allegheny County Department of Human Services. If the Magisterial District Judge determines that such an application has been submitted and that good faith efforts are being made to obtain assistance that would be reasonably likely to prevent the eviction under Pa.R.C.P.M.D.J. 518, then a continuance shall be granted, and a status conference scheduled. The status conference shall be used to determine the ongoing status of the application. Multiple

continuances may be granted to allow for sufficient time for the application to be processed and the rent relief to be provided. An eviction shall not occur while good faith efforts are being made to obtain assistance that would be reasonably likely to prevent the eviction under Pa.R.C.P.M.D.J. 518.

6. Information for COVID-19 related rent assistance through the Emergency Rental Assistance Program and Allegheny County DHS resources can be found online at: <https://www.alleghenycounty.us/Human-Services/Programs-Services/Basic-Needs/Housing-and-Homeless.aspx>.
7. Additional information about other rental assistance programs may be found at the following links:
 - <https://www.ura.org/pages/covid-19-resources-for-residents>
 - <https://renthelppgh.org/>

In cases to which the new CDC Order applies and the action is, at least in part, for non-payment of rent, the case may still proceed pursuant to the procedures set forth above in items 1 through 7.

In any event, no Order of Possession shall be issued or acted upon as long as the CDC Order continues to apply to the case. Consistent with prior orders of this Court, the CDC Order shall be considered to apply to end of lease cases as well as non-payment of rent cases.

This Order shall become effective immediately and shall remain in effect through October 31, 2021.

BY THE COURT:



_____, P. J.
Kim Berkeley Clark
President Judge