

IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

IN RE: CONTINUANCE OF)
SHERIFF SALE PROCEEDINGS) No. 23 WM 2020
FOR CERTAIN RESIDENTIAL)
REAL ESTATE)
)

ORDER OF COURT

AND NOW, this 2nd day of June 2021, this Court recognizes that the U.S. Federal Government has approved funding to assist certain homeowners with payment of delinquent mortgages and/or delinquent taxes through the Homeowner Assistance Fund (“HAF”) established by the American Rescue Plan Act of 2021. This Court further recognizes that the Commonwealth of Pennsylvania will receive over 350 million dollars of HAF funds to assist homeowners, but that these funds will not be available for distribution until the Commonwealth of Pennsylvania has submitted a plan for the use of HAF funding to the Department of Treasury and that plan is approved and implemented.

Accordingly, in order to provide sufficient opportunity for such funds to be disbursed to prevent unnecessary and irreversible sales of property in Allegheny County, it is hereby **ORDERED, ADJUDGED, AND DECREED** that all Sheriff Sale Proceedings in Allegheny County for non-payment of property

taxes and/or mortgages of residential properties scheduled for the June 7, 2021 regularly scheduled monthly sale are hereby continued to the July 6, 2021 sale date and are subject to further postponement as set forth below. All Sheriff Sale Proceedings scheduled for non-payment of property taxes and/or mortgages of residential properties on July 6, 2021 (including those postponed by this Order from June 7, 2021) and August 2, 2021, shall be postponed to September 7, 2021 or a subsequent date at the selection of the Plaintiff, subject to the following exceptions:

- Properties for sale where the judgement was issued before January 1, 2020, may proceed on July 6, 2021, or August 2, 2021, as scheduled.
- Properties for sale which are vacant may proceed on the July 6, 2021 sale date or the August 2, 2021 sale date, provided that the Plaintiff or moving party seeking the sale files an affidavit affirming that the property is uninhabited and that the homeowner is no longer living there. Such affidavit shall be filed with the Allegheny County Department of Court Records, Civil Division with a copy provided to the Allegheny County Sheriff's Office and all parties. The affidavit must be in substantially the form attached hereto. Such affidavit must be filed on or before June 25, 2021 to proceed on the July 6, 2021 sale date, and on or before July 23, 2021 to proceed on the August 2, 2021 sale date.
- Properties for sale which are not owner-occupied may proceed on the July 6, 2021 sale date or the August 2, 2021 sale date, provided that the Plaintiff or moving party seeking the sale files an affidavit affirming that the property is not owner-occupied. Such affidavit shall be filed with

the Allegheny County Department of Court Records, Civil Division with a copy provided to the Allegheny County Sheriff's Office and all parties. The affidavit must be in substantially the form attached hereto. Such affidavit must be filed on or before June 25, 2021 to proceed on the July 6, 2021 sale date, and on or before July 23, 2021 to proceed on the August 2, 2021 sale date.

- Plaintiffs or moving parties seeking a sale on July 6, 2021 or August 2, 2021, which otherwise would be postponed under this Order, may petition the Court for allowance for the sale to proceed without postponement on the basis that the matter will not qualify for relief through the use of HAF funds or for other good cause shown. Such Petition must be filed in the Allegheny County Department of Court Records, Civil Division with copies to the Allegheny County Sheriff's Office and all parties and must be scheduled with the General Motions Judge for presentation. Such Petition must be filed on or before June 25, 2021 to proceed on the July 6, 2021 sale date or on or before July 23, 2021 to proceed on the August 2, 2021 sale date.

No postponement fees shall be assessed as a result of this Order.

This Order does not affect the Sheriff Sale of commercial property or parcels of undeveloped vacant land. Those sales may proceed as scheduled on June 7, 2021, or thereafter.

This Order does not affect the ability of a defendant to file a motion to stay a Sheriff Sale in any case or to seek assistance from the Allegheny County Court of Common Pleas Civil Division Save Your Home Program.

The Allegheny County Sheriff's Office shall publish this Order in the Pittsburgh Legal Journal, post a copy on its website and social media pages, and shall read the Order at its regularly scheduled sale on June 7, 2021.

BY THE COURT:



Kim Berkeley Clark, P.J.
President Judge

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF ALLEGHENY)

AFFIDAVIT TO SUPPORT ALLEGHENY
COUNTY SHERIFF SALE PROCEEDING
FOR UNINHABITED/VACANT
PROPERTIES

Plaintiff)

v.)

Defendant)

Case No. _____)

Sheriff Sale No. _____)
_____)

I, _____, do hereby affirm that I, the plaintiff/moving party or attorney for the plaintiff/moving party seeking the Allegheny County Sheriff's sale, for the property at issue, do hereby affirm that the property is uninhabited and vacant. The address at issue is:

House number and street

City/State/Zip code

Parcel ID #

Signature of Plaintiff/Moving Party/Attorney

Date

This statement is made subject to the penalties of 18 Pa.C.S. §4904 related to unsworn falsification to authorities.

Signature of Plaintiff/Moving Party/Attorney

Date

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF ALLEGHENY)

AFFIDAVIT TO SUPPORT ALLEGHENY
COUNTY SHERIFF SALE PROCEEDING
FOR NON OWNER-OCCUPIED
PROPERTIES

Plaintiff

v.

Defendant

Case No. _____

Sheriff Sale No. _____

I, _____, do hereby affirm that I, the plaintiff/moving party or attorney for the plaintiff/moving party seeking the Allegheny County Sheriff's sale, for the property at issue, do hereby affirm that the property is NOT an owner-occupied property. The address at issue is:

House number and street

City/State/Zip code

Parcel ID #

Signature of Plaintiff/Moving Party/Attorney

Date

This statement is made subject to the penalties of 18 Pa.C.S. §4904 related to unsworn falsification to authorities.

Signature of Plaintiff/Moving Party/Attorney

Date