

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE: CONTINUANCE OF)
SHERIFF SALE PROCEEDINGS) No. AD- 2022 - 43 - PJ
FOR CERTAIN RESIDENTIAL)
REAL ESTATE)
)

ORDER OF COURT

AND NOW, this 4th day of February 2022, this Court recognizes that the U.S. Federal Government has approved additional funding to assist certain homeowners with payment of delinquent mortgages and/or delinquent taxes through the Homeowner Assistance Fund ("HAF") established through a continuation of the American Rescue Plan Act. This Court recognizes that effective February 1, 2022 the Commonwealth of Pennsylvania was to receive 350 million dollars of HAF funds to assist homeowners and that will be administered by the Pennsylvania Homeowner Assistance Fund ("PAHAF"), and that homeowners could not begin to apply for these funds until February 1, 2022.

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 Sheriff Sale Proceedings in Allegheny County for non-payment of property taxes and/or mortgages of **residential** properties which are scheduled for the February 7, 2022 regularly scheduled monthly sale are hereby continued to the March 7, 2022 sale date, subject to the following exceptions:

DEPT OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY, PA

2022 FEB - 4 AM 8:27

FILED

- Properties for sale where the judgment was issued before January 1, 2020, may proceed on February 7, 2022 as scheduled.
- Properties for sale which are vacant may proceed on February 7, 2022 as scheduled, provided the Plaintiff or moving party seeking the sale has filed 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. Affidavits previously filed pursuant to the Order of June 2, 2021 regarding Sheriff Sale Proceedings are sufficient to allow the sale to proceed on February 7, 2022 and a new Affidavit need not be filed.
- Properties for sale which are not owner-occupied may proceed on February 7, 2022, as scheduled provided the Plaintiff or moving party seeking the sale has filed 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. Affidavits previously filed pursuant to the Order of June 2, 2021 regarding Sheriff Sale Proceedings are sufficient to allow the sale to proceed on February 7, 2022 and a new Affidavit need not be filed.

Defendants seeking a continuance of any sale scheduled on or after March 7, 2022, in order to apply for and receive PAHAF funds, must obtain a court order postponing the sale by filing and presenting a motion to postpone the sale. Such motion 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.


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 February 7, 2022, or thereafter.

This Order does not affect the ability of a defendant to file a motion to postpone 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 provide notice of this Order to all counsel of record with properties currently identified on the February 7, 2022 Sheriff Sale list. The Allegheny County Sheriff's Office shall post a copy of this Order on its website and social media pages and shall read the Order at its regularly scheduled sale on February 7, 2022.

BY THE COURT:


_____, P.J.
Kim Berkeley Clark
President Judge

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF ALLEGHENY)

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

Plaintiff

Case No. _____

v.

Sheriff Sale No. _____

Defendant

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



