

Landlord-Tenant FAQs

- 1) **My landlord took me to the Magisterial District Judge (MDJ) to evict me and won, can I file an appeal with the Court of Common Pleas?**

Yes. You can file a timely appeal with the Housing Court Help Desk within 10 days from the original hearing date to stay in the property during the appeal. You must come in person to the Department of Court Records for the Civil/Family Division. The street address is 414 Grant St. Pittsburgh, PA 15219 on the First Floor.

- 2) **I filed my appeal, filed for a fee waiver, and paid the 1/3 of my rent that keeps me in my home during the appeal. The Cashier in the Department of Court Records told me that 2/3 of my rent is due in 20 days. How do I make that payment?**

You can make a payment by cash, money order, business check, or debit/credit card.

*Debit / Credit have a 4% fee on top payment amount.

*If you are mailing A **BUSINESS CHECK OR MONEY ORDER**, you must mail payment *at least* four (4) days in advance. We encourage Defendants to send it “certified mail” if possible. This business check or money order should be made payable to either “DCR” or “Department of Court Records, (Please note that the DCR does not accept personal checks)” and the **BUSINESS CHECK OR MONEY ORDER** “must” include the **landlord tenant “LT” docket number** so that Department of Court Records knows where to apply the monies you are sending in for payment.

If you fail to include the LT docket number, the **BUSINESS CHECK** or **MONEY ORDER** may be returned to you, and/or applied to the incorrect account.

***Please note the Help Desk and the Department of Court Records are not responsible for ensuring your payments arrive properly and are made on time.

3) I thought if I filed an appeal I couldn't be evicted, but now I am confused? Do I still have to pay rent?

Yes, the rent due every month does not change, and it should be paid into the Court to preserve your appeal. If you don't keep up with your rental payments, your landlord will be able to take action to evict you. If you make timely rental payments and stay current on those payments, your landlord will not be able to serve you an Important 10 Day Notice for failing to pay rent and take steps to evict you before your next hearing.

You may go to the Housing Court Help Desk in the Department of Court Records located on the first floor of the City County Building at 414 Grant St. Pittsburgh, PA 15219 to pay your rent. Or you may mail a **MONEY ORDER** or **BUSINESS CHECK** to the Department of Court Records at that same address. If you mail a **MONEY ORDER OR BUSINESS CHECK** in to pay your rent, **WRITE** your LT docket number on the **MONEY ORDER** or **BUSINESS CHECK** so that your payment is properly accounted for and attributed to your supersedeas account. You can find your LT number on all Court filings; for example, it looks like this LT-22-XXX (the XXXs will be replaced with numbers representing the docket number assigned to your case.)

4) What if I fail to file an appeal from the Magisterial District Judge's decision within 10 days? Will I be able to file an appeal later?

If you try to file the appeal after 10 days and want to stay in the property, you will have to ask the court for permission to file an appeal late, at which time you can file a motion with the court to file late appeal.

5) My tenant filed an appeal from a Magisterial District Judge decision. What do I do next?

You would file a new complaint at the Department of Court Records at 414 Grant Street Pittsburgh, PA 15219. You are to file your complaint with the Department of Court Records within 20 days of tenant filing appeal. The Department of Court Records will assign you a new court date where you will appear in front of three Arbitrators or have the option to choose Mediation.

- 6) I terminated my tenant's possession of the property because the tenant(s) failed to pay into the escrow account. How do I proceed with an eviction?**

Once you have terminated the tenant's supersedeas at the Department of Court Records Floor counter, you may take the "praecipe to terminate supersedeas" to the MDJ office to request or re-issue an Order of Possession.

- 7) I lost at arbitration, and I want to file an appeal of that Award. I was told I have 30 days to file the appeal. Will I be considered late if I wait until after 30 days to file the appeal?**

Yes, you can file an Arbitration appeal **within** 30 days at the Floor counter in the Department of Court Records. You have a right to appeal the award within 30 days, but no right to appeal afterwards.

- 8) I missed my Arbitration hearing, and a Non-Jury verdict was entered against me. What can I do to get another Arbitration Hearing date?**

The Party who failed to appear can file a Post-Trial Relief Motion within 10 days from the date of the Non-Jury verdict and explain the reason for missing the Arbitration hearing. However, the Court may or may not grant your motion for Post-Trial Relief. Accordingly, do not miss your Arbitration hearing.

- 9) My tenant filed an appeal and filed a Motion asking for extra time to pay the initial supersedeas amounts owed. The tenant has not been paying me as the landlord, nor has the tenant been paying into the Department of Court Records. Can I place myself in a position to immediately regain possession of the unit?**

No. The motion seeking extra time to pay the initial amount into Department of Court Records to establish the supersedeas will be decided upon by the Housing Court Judge at a motion hearing. The Judge will decide whether the motion for extra time to pay will be granted or denied.

- 10) My tenant filed a Motion for Extension to Obtain Supersedeas and was required to make a payment on a date set forth in the court order issued to obtain possession of the property. The tenant failed to make the payment by that date. How can I proceed with eviction?**

Under the circumstances above, the landlord can obtain a Certificate of No Rent with the Floor counter in the Department of Court Records and then proceed to the MDJ to request an Order of Possession.

- 11) A rental payment schedule was established by the Department of Court Records. Although my tenant made the initial payment(s), the tenant failed to make subsequent payments. Can I take action against them?**

Yes. A tenant must still pay rent when it is due into escrow. The landlord can proceed to serve the Important 10-Day Notice for failing to pay rent when due and owing by using postal form 3817. Landlord must retain a copy of the notice and the proof of postage in order to terminate tenant's possession of the property.

- 12) My tenant failed to make rental payments, I sent the Important 10-day Notice to them, and it has been more than 10 days. What is the next step?**

The landlord can Terminate Supersedeas on the 11th day after the 10 – day Notice was sent as long as tenant has not made the required rental payments that were due and cured the default.

- 13) I have come to an agreement with the other side in my case. Can we make a filing to record this agreement?**

Yes. You can and should put your agreement in writing and file a Praecipe to Settle and Discontinue the case. If the parties need assistance writing up the agreement, they can appear for the Arbitration hearing and ask that a Mediator assist with preparing the settlement agreement.

- 14) What is the Housing Court Help Desk hours of operation?**

We are open Monday thru Friday from 8:30 a.m. to 4:00 p.m. You must be here by 3:15 p.m. to complete paperwork for filings.

