

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2132 Session of
2026

INTRODUCED BY SCOTT, CEPEDA-FREYTIZ, WAXMAN, HILL-EVANS,
SAMUELSON, NEILSON, SANCHEZ, CIRESI AND SMITH-WADE-EL,
JANUARY 12, 2026

REFERRED TO COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT,
JANUARY 12, 2026

AN ACT

1 Amending the act of April 6, 1951 (P.L.69, No.20), entitled "An
2 act relating to the rights, obligations and liabilities of
3 landlord and tenant and of parties dealing with them and
4 amending, revising, changing and consolidating the law
5 relating thereto," in preliminary provisions, further
6 providing for definitions; in recovery of possession, further
7 providing for hearing, judgment, writ of possession and
8 payment of rent by tenant; and making editorial changes.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The definition of "justice of the peace" in
12 section 102 of the act of April 6, 1951 (P.L.69, No.20), known
13 as The Landlord and Tenant Act of 1951, is amended and the
14 section is amended by adding a definition to read:

15 Section 102. Definitions.--As used in this act--

16 ["Justice of the peace" means district justices, aldermen,
17 magistrates or any other court having jurisdiction over landlord
18 and tenant matters, excluding a court of common pleas.]

19 "Magisterial district judge" means district justices,
20 aldermen, magistrates or any other court having jurisdiction

1 over landlord and tenant matters, excluding a court of common
2 pleas.

3 * * *

4 Section 2. Section 502(a) of the act is amended to read:

5 Section 502. Summons and Service.--(a) Upon the filing of
6 the complaint, the [justice of the peace] magisterial district
7 judge shall issue a summons which recites substantially the
8 complaint, is directed to any writ server, constable or the
9 sheriff of the county and commands that writ server, constable
10 or sheriff to summon the tenant to appear before the [justice of
11 the peace] magisterial district judge to answer the complaint on
12 a date not less than seven nor more than ten days from the date
13 of the summons.

14 * * *

15 Section 3. Section 503(a) introductory paragraph and (b) of
16 the act are amended and the section is amended by adding
17 subsections to read:

18 Section 503. Hearing; Judgment; Writ of Possession; Payment
19 of Rent by Tenant.--(a) On the day and at the time appointed or
20 on a day to which the case may be adjourned, the [justice of the
21 peace] magisterial district judge shall proceed to hear the
22 case. If it appears that the complaint has been sufficiently
23 proven, the [justice of the peace] magisterial district judge
24 shall enter judgment against the tenant:

25 * * *

26 (b) At the request of the landlord, the [justice of the
27 peace] magisterial district judge shall, after the fifth day
28 after the rendition of the judgment, issue a writ of possession
29 directed to the writ server, constable or sheriff commanding him
30 to deliver forthwith actual possession of the real property to

1 the landlord and to levy the costs and amount of judgment for
2 damages and rent, if any, on the tenant, in the same manner as
3 judgments and costs are levied and collected on writs of
4 execution. This writ is to be served within no later than forty-
5 eight hours and executed on the eleventh day following service
6 upon the tenant of the leased premises. Service of the writ of
7 possession shall be served personally on the tenant by personal
8 service or by posting the writ conspicuously on the leased
9 premises.

10 * * *

11 (d) A landlord may not require a tenant to pay to the
12 landlord any costs associated with filing the complaint. To
13 supersede and render the writ of possession of no effect under
14 subsection (c), the tenant shall pay to the writ server,
15 constable or sheriff the rent actually in arrears and the costs
16 associated with the amount of rent that remains due and unpaid.

17 (e) Any provision in a contract or lease that requires a
18 tenant to pay costs associated with filing the complaint is void
19 and unenforceable.

20 Section 4. Sections 504 and 513(e) of the act are amended to
21 read:

22 Section 504. Return by Constable or Sheriff.--The writ
23 server, constable or sheriff shall make return of the writ of
24 possession to the [justice of the peace] magisterial district
25 judge within ten days after receiving the writ. The return shall
26 show: (1) the date, time, place and manner of service of the
27 writ; (2) if the writ was satisfied by the payment of rent due
28 or in arrears and costs by or on behalf of the tenant, the
29 amount of that payment and its distribution; (3) the time and
30 date of any forcible entry and ejectment, or that no entry for

1 the purpose of ejectment had been made; and (4) his expenses and
2 fees, which expenses and fees shall have been paid by the tenant
3 or, if paid by the landlord, reimbursed to the landlord by the
4 tenant in order to satisfy the writ.

5 Section 513. Appeal by Tenant to Common Pleas Court.--

6 * * *

7 (e) As used in this section, the following words and phrases
8 shall have the meanings given to them in this subsection:

9 "Lower court." [District justice, magistrate] A magisterial
10 district judge or any other court having jurisdiction over
11 landlord and tenant matters, excluding a court of common pleas.

12 "Victim of domestic violence." A person who has obtained a
13 protection from abuse order against another individual or can
14 provide other suitable evidence as the court shall direct.

15 Section 5. This act shall take effect in 60 days.