

Statutes and Case Law

Statutes

- Fair Housing Act, 42 U.S.C. § 3601 et seq.
- Landlord and Tenant Act of 1951, 68 P.S. § 250.101, et seq.
- Manufactured Home Communities Rights Act, 68 P.S. § 398.1, et seq.
- Pennsylvania Human Relations Act, 43 Pa.C.S.A. §951 et seq.
- Pennsylvania Rent Withholding Act, 35 P.S. §1700-1, et seq.
- Plain Language Consumer Contract Act, 73 P.S. § 2201, et seq.
- Expedited Eviction of Drug Traffickers Act, 35 P.S. § 780-152
- Residential Lead-Based Paint Hazard Reduction Act, 42 USC § 4851 et seq.
- Utility Service Tenants Rights Act, 66 Pa. C.S.A. § 1521, et seq.; 68 P.S. § 399.1, et seq.
- Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 701 et seq. (Section related to nondiscrimination on the basis of disability in federally-funded housing is 29 U.S.C. § 794)
- Unfair Trade Practices and Consumer Protection Law, 73 P.S. § 201 -1-201-9.

Cases

- Pugh v. Holmes, 405 A.2d 897 (Pa. 1979) (established an implied warranty of habitability into residential leases).
- Fair v. Negley, 390 A.2d 240 (Pa. Super. 1978) (noted that the warranty of habitability cannot be waived by a lease provision or by tenant agreement).
- Pagano v. Redevelopment Authority, 376 A.2d 999, 1004 (Pa. Super. 1971) (noting that a lease can be written or oral, express or implied).
- Wallace v. Pastore, 742 A.2d 1090 (Pa. Super. 1999) (noting that a landlord can be liable under UTPCPL for triple damages and attorney fees for failure to return a security deposit).
- Stonehedge Square Limited Partnership v. Movie Merchants, Inc., 715 A.2d 1082 (Pa. 1998) (holding that a non-breaching landlord has no duty to mitigate by seeking a replacement tenant).
- Beasley v. Freedman, 289 A.2d 1087 (Pa. Super. 1978) (noted that a breach of the implied warranty of habitability may be a basis for a tort claim for intentional infliction of emotional distress).
- Allegheny Clarkliff v. Woodline, 514 A.2d 606 (Pa. Super. 1986) (holding that the distraint permitted under 68 P.S. § 250.302 is unconstitutional because it violates due process).
- Wofford v. Vavreck, 22 D&C 3d 444 (C.P. Crawford 1981) (holding that the self-help doctrine was a court-made procedure that is no longer applicable and the Landlord Tenant Act of 1951 provided the exclusive process for a recovery of possession of the premises for rental arrears).
- Lebanon County Housing Authority v. Landeck, 967 A.2d 1009 (Pa. Super 2009) (listing elements of tenant's reasonable accommodation request and holding tenant can request a reasonable accommodation during an appeal to the Court of Common Pleas).