

Another Setback for Pennsylvania Landlords

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The Philadelphia Municipal Court issued an Order stopping service of writs of possession and alias writs in residential eviction cases. On November 6, 2020, the court directed that any writs previously issued in any residential case cannot be served until after December 31, 2020. However, landlords can seek relief from the Order with a showing of good cause to serve the writs.

In order to seek the exception to the Order, a landlord will have to file a petition supported by exhibits and sworn affidavits or declarations that establish that the landlord has good cause to serve the writ. The bases for good cause are:

- (1) tenant has already vacated the property;
- (2) material breach of the lease terms; or
- (3) another compelling basis.

A material breach does not include habitual non-payment of rent, late payment of rent, or non-payment of utilities. The time periods within which to issue and serve an alias writ are suspended between March 16, 2020 and December 31, 2020.

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