



**Know Your Rights &
Responsibilities**

When Do Tenants Rights Apply?

The rights of a tenant under Pennsylvania Law apply whenever there is a “Landlord - Tenant” relationship between the owner and the occupier of the property.

- No specific definition or action triggers a “landlord - tenant” relationship.
- Must consider the circumstances:
 1. Is there a written lease (written or oral)?
 2. Was rent paid?
 3. Does tenant have exclusive use of the residence (a lock on the door)?

The Lease/Contract

The Lease is a contract between two parties that establishes the rights and responsibilities as the lease holder

- The lease may create certain rights for tenant
 - i.e. The right to written notice before landlord enters the residence
- The lease may eliminate certain rights for tenants
 - i.e. no pet policy
- Some rights are implied by law and cannot be changed
 - I.e. Right to not be evicted without due process of the law; right to habitable residence

What are the Basic Tenant Rights?

- Right to the quiet enjoyment of the residence
- The ability to use the residence for its purpose as a home
- To be free from loud or intrusive noises (within the Landlord's control)
- Right to have guests come to the home
- Tenants has expectation of privacy in the residence able to come and go from the property without issue
- Has access to the unit/property, nothing blocking/preventing entry
- Landlord's use of the property is limited to inspection of the property
- Landlord must give written notice to enter property (**except for emergencies**)
- Landlord must get court order to re-take possession of the property

The Lease Length of Term

- Common terms for a lease are month-to-month or one year
- Renewal clause: lease will state how lease is returned, parties must follow

If no renewal clause, law will imply that lease renews for same period of time.

- Cannot change the terms of the lease during the lease term (without both parties agreeing to the change additional consideration provided).
- At the end of the lease, the landlord may evict the tenant without cause
- But first only a judge can evict you from your home
- Landlord would need to take the proper steps to move forward with end of lease term

Eviction Process

Summary

1. Landlord must file against tenant to evict (no self help evictions)
2. Hearing held most likely a week after landlord files with the MDJ (Magisterial District Judge) courts
3. When judgement is entered you will receive it in the mail 1-2 business days
4. Then tenant will have **10 days to appeal** if tenant loses at MDJ office
5. To appeal, low income tenants may get the filings cost waived and pay only $\frac{1}{3}$ of that current month rent if haven't already paid to landlord. If not that $\frac{1}{3}$ will be paid directly to the courts into escrow once you file the appeal
6. If tenant doesn't appeal, they may be evicted 22 days after the first initial hearing at the MDJ office

Common steps after a timely appeal

\$Pay rent to the courts.

The due dates and payment amounts are listed on the notice of the rental payments you were given at the department of court records (DCR)

Payment methods: cash, money order, business check credit card with 4% service charge

Payments must be done in person (with several days of lead time) to the department of court records. If you mail payment include your case number

Landlord may file complaint

The complaint will be mailed to you

It will appear on the case lookup website: dcr.alleghenycounty.us/civil

You may check the docket regularly for any updates on your case

The complaint should have the arbitration hearing date on it

YOU MUST RESPOND TO THE COMPLAINT

You can either respond to the complaint using either the notice of intent to appear or answer the counterclaim. Failure to respond could result in losing your case before the hearing

Housing Court Help Desk

Email: hchelpdesk@allegheycourts.us

Phone: 412-350-4462

Hours of operation Mon-Thur 8:30-4pm

Friday 8:30-3pm

Location City/ County Bldg, Civil/Family Division

414 Grant Street, 1st floor

PGH, PA 15219

Other Resources

Legal advice:

Neighborhood Legal Services (NLS) 412-255-6700

Intake line: 1-866-761-6572 Online application: <https://www.nlsa.us/request-legal-help/>

Allegheny County Bar Association Landlord Tenant Project - 412-402-6660

Help with housing/rent, Call 211 or Allegheny Link 1-866-730-2368

Hill District Consensus Group - 412-477-5196

Renthelpppgh.org - 412-534-6600

Housing Stabilization Center - 415 Seventh Ave, Downtown Pgh 15219