

Current Procedures in the Magisterial District Courts

Effective June 1, 2020, all Magisterial District Courts are open to the public during their regularly scheduled hours however access to the Magisterial District Courts may be restricted to only the case participants. The Lancaster County Court of Common Pleas is taking precautions to manage concerns related to personal appearances in court facilities by following recommendations made by the Pennsylvania Department of Health and the Centers for Disease Control and Prevention. The welfare and safety of the public and court personnel is important to us. The following precautions are taking place in all court facilities:

- Face masks are required to be worn to enter any court facility and must remain on while in the court. Bring your own mask.
- Hearings will be given a specific start time so it is important to arrive on time for your scheduled event.
- The total number of persons entering the facility will be limited to allow appropriate social distancing.
- You may be asked to wait in your vehicle until your hearing is called. A sign-in sheet may be posted at the court facility or you may be asked to provide your cell phone number to be called when the court is ready for your appearance.
- Anyone requesting an exemption from the Pennsylvania Department of Health's requirement that face coverings be worn in public places due to medical reasons, should contact the Court ADA Coordinator listed herein as soon as possible, but no later than three (3) days before the scheduled event.

Court of Common Pleas ADA Coordinator
Office of District Court Administration
50 N Duke St
PO Box 83480
Lancaster, PA 17608-3480

Voice (717) 299-8041; Relay Service TTY/TDD 711 or (800) 654-5984
FAX (717) 295-3599; Email CourtADACoordinator@co.lancaster.pa.us

Criminal Cases

Effective June 1, 2020, all Preliminary Hearings will begin to be scheduled in the Magisterial District Court of Origin. The schedule of Block Hearings can be found on the Courts website using this link: <https://courtccl.co.lancaster.pa.us/CourtAdmin.Public/>.

All Preliminary Hearings involving incarcerated defendants will be conducted using advanced communication technology. The defendant will not be transported to the Magisterial District Court.

If the defendant decides to waive his/her Preliminary Hearing, they may contact the Magisterial District Court in advance to schedule a "Waiver Conference" which may be scheduled to occur using advanced communication technology.

Generally, Preliminary Hearings involving non incarcerated defendants require the presence of the parties in the Magisterial District Courts. However, each presiding official may conduct business as it determines to be appropriate and feasible and are encouraged to consider deciding matters on the papers and/or to conduct court proceedings through the use of advanced communication technologies, to the extent that constitutional requirements can be satisfied

Any party to a case who wishes to utilize advanced communication technology rather than appear in person, must contact the Magisterial District Court in advance of the hearing to make the necessary arrangements.

While electronic payments on outstanding fines, costs and restitution is preferred, in person cash payments will be accepted.

Civil Cases

Effective June 1, 2020, all Civil Cases will be scheduled to in the Magisterial District Court of Origin.

Generally, Civil Hearings require the presence of the parties in the Magisterial District Courts. However, each presiding official may conduct business as it determines to be appropriate and feasible and are encouraged to consider deciding matters on the papers and/or to conduct court proceedings through the use of advanced communication technologies, to the extent that constitutional requirements can be satisfied

Any party to a case who wishes to utilize advanced communication technology rather than appear in person, must contact the Magisterial District Court in advance of the hearing to make the necessary arrangements.

Summary Cases

Effective June 1, 2020, Summary Trials will be scheduled to take place in the Magisterial District Court of Origin..

All Summary Cases involving incarcerated defendants will be conducted using advanced communication technology. The defendant will not be transported to the Magisterial District Court.

Generally, Summary Trials require the presence of the parties in the Magisterial District Courts. However, each presiding official may conduct business as it determines to be appropriate and feasible and are encouraged to consider deciding matters on the

papers and/or to conduct court proceedings through the use of advanced communication technologies, to the extent that constitutional requirements can be satisfied

Any party to a case who wishes to utilize advanced communication technology rather than appear in person, must contact the Magisterial District Court in advance of the hearing to make the necessary arrangements.

While electronic payments on outstanding fines, costs and restitution is preferred, in person cash payments will be accepted.

Landlord/Tenant

No Landlord/Tenant Complaints can be filed in a MDC between May 11, 2020 and July 9, 2020 which seek to evict a tenant for non-payment of rent or because the tenant did not vacate the premises at the end of the Lease. If the MDC receives a Landlord/Tenant Complaint by mail during the time frame of May 11, 2020 to July 9, 2020 for either of those reasons, the MDC should return the Complaint and filing fee to the Landlord.

Beginning on June 1, 2020, (subject to CARES Act limitations), a Landlord who has alleged a breach of a condition of a Lease can file a Landlord/Tenant Complaint in a MDC.

Beginning on June 1, 2020, Landlord/Tenant Complaints that were previously filed in a MDC through March 26, 2020 can be rescheduled and proceed (these cases will not be subject to CARES Act limitations).

Beginning on June 1, 2020, Landlord/Tenant Complaints that were filed in a MDC between March 27, 2020 and May 11, 2020 can be rescheduled and proceed if compliant with the CARES Act.

Beginning on June 1, 2020, Orders for Possession that were previously issued may be executed upon.

Beginning on July 10, 2020, (subject to CARES Act limitations), a Landlord who has waived the Notice to Quit in his/her Lease, or served a Notice to Quit on his/her Tenant prior to May 11, 2020 can file a Landlord/Tenant Complaint in a MDC for any reason.

Beginning on July 10, 2020, (subject to CARES Act limitations), a Landlord can serve a Notice to Quit consistent with the terms of the Lease on his/her Tenant(s) as a prerequisite to then filing a Landlord/Tenant Complaint in a MDC for any reason.

Compliance with the CARES Act must be determined at the time of filing. Therefore, landlords must complete the following CARES Act Compliance Statement as a prerequisite to the filing of a Landlord/Tenant Complaint.

CARES ACT COMPLIANCE STATEMENT

ADDRESS OF RENTAL PROPERTY

FOR WHICH EVICTION IS BEING SOUGHT: _____

The completion and signing of this CARES Act Compliance Statement is currently a prerequisite for the filing of a Landlord/Tenant Complaint. If you do not know the answers to these questions, DO NOT answer and consult with your attorney.

Please complete the following information/questions:

1. Check one of the following two statements:

The undersigned is the owner of the above referenced rental property.

The undersigned is the authorized property manager of the above referenced rental property. Authorized representatives are reminded to file their Authorization of Representative pursuant to Rule 207(B) of the Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges at the time of the filing of the Landlord/Tenant Complaint.

2. Check one of the following two statements:

There is no mortgage on the above referenced rental property. If there is no mortgage, go to Question #4.

There is a mortgage on the above referenced rental property.

3. Check one of the following three statements that relate to the mortgage on the above-referenced rental property.

The mortgage on the above referenced rental property is a federally backed mortgage loan which would be one of the following: USDA, VA, HUD including FHA, Fannie Mae or Freddie Mac. The following websites may be helpful in determining if the mortgage is owned by Fannie Mae or Freddie Mac:

<https://www.knowyouroptions.com/loanlookup> and

<https://ww3.freddie.mac.com/loanlookup/>

The mortgage on the above referenced rental property is a federally backed multifamily mortgage loan.

The mortgage on the above referenced rental property is neither a federally backed mortgage loan nor a federally backed multifamily mortgage loan.

NOTE: A copy of your mortgage attached to this statement is permitted if you so desire.

4. Check one of the following two statements:

The above referenced rental property is not in Section 8 housing, public housing, HUD subsidized senior housing, other HUD subsidized housing, USDA subsidized housing, tax credit or LIHTC housing.

_____ The above referenced rental property is in Section 8 housing, public housing, HUD subsidized senior housing, other HUD subsidized housing, USDA subsidized housing, tax credit or LIHTC housing.

5. For Landlord/Tenant Complaints filed after July 10, 2020, check one of the following three statements and answer the question in the statement:

_____ Notice to Quit was given to Tenant on _____.

_____ No Notice to Quit was given to Tenant.

_____ Notice to Quit was waived in the Lease.

Take note that if your property has a federally backed mortgage or participates in one of the covered housing or voucher program you cannot give a Notice to Quit prior to July 27, 2020. Notice to Quit is required even if the Notice to Quit was waived in the Lease.

The statements in this CARES Act Compliance Statement are true and correct, and made subject to the penalty of unsworn falsification to authorities as set forth in 18 Pa.C.S.A. §4904.

Date

Printed Name

Signature



ATTENTION LANDLORDS AND PROPERTY MANAGERS

Even during normal circumstances, a medical crisis, job loss, unexpected car repairs, loss of a partner by separation or death, or family financial instability can lead to a tenant's difficulty in paying the rent.

**As a Landlord or Property Manager you are not alone.
Tabor/LHOP has the tools and programs to assist you and your tenants**

Here are some ways we can help manage and stabilize your rental income.

- **Dial Before You File** – Tabor/LHOP can provide technical assistance, informal housing resolutions, and free counseling that could potentially save you time and money.
- **Strengthen Community Partnerships** - Did you know that non-profit organizations can be the best partner in assisting in stabilizing your tenant's housing? A stable tenant means a stable rental income for you! Having a quick community resource list that you can provide to tenants that experience a life event could prevent late rental payments. It might be just the thing to get a tenant back on track and save you the cost of filing for an eviction and attempting to find a new tenant (Note: rental assistance funding is available for qualified tenants, payable directly to the landlord or property manager).
- **Enhance Your Knowledge** – We know that you have a wealth of knowledge, but rules and regulations change all the time, so attend landlord forums, contact Tabor/LHOP for guidance on Landlord-Tenant relations, ask questions and get the right answers.

"The main reason why we enjoy partnering with Tabor is because they educate and give their clients tools to get them back on their feet. The tools taught at Tabor, if applied, can carry them through the rest of their lives." – Francesca Catanzaro

Our Process

- We start by reviewing the tenant's credit and budget (counseling services are FREE)
- Other income resources like Stimulus relief, tax refunds, other programs are explored
- Consultation with Landlords/Property Managers to review payment options (Landlords and property managers are always involved in the process)
- Construct an action plan to payback arrearages (may include limited assistance funds/forbearance agreement created with input from landlord/property manager)
- Added action steps to empower the client to become more financial stable are reviewed
- We then give the client resources for assistance with food, utilities, and other benefits
- Take steps to help lower or eliminate other bills permanently or temporarily as needed
- Assist with signing the client up for other programs that may help bring in other funding

Landlords - We're a Resource for You

Have your Tenants contact Tabor's Financial Empowerment Center today to see if they qualify for resources

Phone 717.358.9364

Email FECintake@Tabornet.org

Or call LHOP for assistance with

- FREE Fair Housing Consultation
- Informal Housing Resolutions
- Lease Reviews
- Landlord Forums
- Landlord and Tenant Guide
- Eviction Prevention Network and more

For Landlord Tenant/Fair Housing concerns in **Lancaster**

Phone 717.299.7840

Email ABeaver@LHOP.org

For Landlord Tenant/Fair Housing concerns in **York**

Phone 717.827.4334

Email AHerbst@LHOP.org

For resources for yourself and your tenants during the Covid-19 pandemic please go to our website:

<https://www.tabornet.org/navigatingcovid-19>

Keep up to date with LHOP and Tabor through **social media** and our websites



<https://www.LHOP.org/>



<https://www.tabornet.org/>