

# KNOW YOUR RIGHTS AS A RENTER IN PENNSYLVANIA TENANTS' RIGHTS

## Your Rights as a Tenant in Pennsylvania

Tenants have legally protected rights under several federal and state laws. Knowing the protections provided under each of these laws is very important if you are a renter in the state of Pennsylvania.

### Fair Housing Laws

The federal Fair Housing Act protects renters from discrimination based on their:

- Race
- Color
- National Origin
- Religion
- Sex (including sexual orientation and gender identity)
- Disability
- Familial Status (the presence of children under the age of 18 in a household, pregnant women, or anyone in the process of securing legal custody of a child)

The Pennsylvania Human Relations Act is the state law protecting consumers against housing discrimination and adds two additional protected classes:

- Age (over 40)
- Users, handlers, or trainers of assistance animals for persons with disabilities

Both the federal and state fair housing laws give people with disabilities the right to reasonable accommodations and reasonable modifications when necessary in order to have an equal opportunity to use and enjoy a dwelling. A reasonable accommodation is a change in the ordinary rules, policies, practices, or services of a housing provider and a reasonable modification is a change in the physical structure of a dwelling. In both cases there must be a direct connection between a disability-related need and the request for the accommodation or modification.

## Do you have a fair housing problem or a landlord tenant problem?

Do you know the difference between the federal Fair Housing Act and the Pennsylvania Landlord Tenant Act?

The Fair Housing Act makes it illegal to discriminate in any housing-related transactions based on seven protected classes (race, color, religion, national origin, sex, familial status, and disability). Examples of housing discrimination include a landlord refusing to rent to a family due to their race or other protected class, publishing a discriminatory advertisement, sexually harassing a tenant, or not allowing a person with a disability a reasonable accommodation.

The Pennsylvania Landlord Tenant Act protects both tenants and landlords by establishing basic rules and requirements for the rental of residential properties. Examples of violations include a landlord not maintaining a habitable building or attempting to evict a tenant without following the proper procedures.

## Pennsylvania Landlord Tenant Act

The state Landlord Tenant Act outlines the basic rights and responsibilities of both renters and landlords in Pennsylvania. This law describes the rights of tenants in negotiating a lease for rental housing, while residing in a rental property, and during and after the termination of their tenancy.

- Leases are legally binding documents, whether written or verbal. Neither the tenant or the landlord can change the terms of the lease without the agreement of both parties.
- At the end of the lease neither the landlord nor the tenant is obligated to renew the lease.
- There is no rent control in Pennsylvania.
- A tenant has the right to have guests visit the leased premises. The tenant does not have right to allow others to move into the rental unit without prior permission from the landlord.
- Tenants have the right to privacy and to enjoy the premises without unreasonable or excessive intrusions by the landlord. However, the landlord does have the right to enter the property occasionally for reasonable purposes such as inspection and maintenance, repairs, or to show the property to potential buyers or renters.
- The landlord is obligated to provide a home that is safe, sanitary, and healthy, without serious defects affecting safety or the ability to live in the rental unit. However, the landlord is not required to make cosmetic repairs.
- A security deposit is limited to two months' rent during the first year of a lease and one month's rent during the second year and thereafter. The security deposit is money that belongs to the tenant but is held by the landlord for protection against damage to the property. When the lease has ended, the landlord must return the security deposit, minus the cost to repair any damages.
- The amount of notice a landlord has to give a tenant to vacate a rental unit depends on what is written in the lease. Some leases waive the right to any notice.
- A court ordered eviction is the only legal way a landlord may force a tenant to leave a rental property. A lawful eviction requires a court proceeding, the length of which will vary depending on the circumstances of the eviction.



The Housing Equality Center is a nonprofit organization dedicated to advancing fair and equal access to housing opportunities for all Pennsylvanians. We provide education on fair housing rights to consumers and organizations serving members of the protected classes and training and technical assistance to housing providers and local governments. The Housing Equality Center provides fair housing counseling and testing investigation services for victims of housing discrimination in the City of Philadelphia and in Bucks, Chester, Delaware, Lehigh, Montgomery, and Northampton Counties.



For more information about your rights as a renter in Pennsylvania, visit online:

[renters.equalhousing.org](http://renters.equalhousing.org)

