

Pennsylvania, Maryland Put Freezes on Evictions

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Courts in both Pennsylvania and Maryland have issued rulings that ban evictions, an effort to mitigate the financial impact of the coronavirus on tenants.

The Pennsylvania Supreme Court order provides that "no officer, official, or other person employed by the Pennsylvania Judiciary at any level shall effectuate an eviction, ejectment, or other displacement from a residence based upon the failure to make a rent, loan, or similar payment."

In Maryland, the state's Court of Appeals order provides that "residential eviction matters pending in the District Court of Maryland and all pending residential eviction orders shall be stayed." The court's order stays evictions until further notice and places a stay on foreclosures of residential properties and foreclosures of the rights of redemption of residential properties.

The Pennsylvania court's order initially stayed evictions through April 3, but that time was recently extended to May 11. This stay on evictions applies to all residential landlords, along with any foreclosure proceeding, based on a failure to make payment.

In entering its order, the court's stated concern was that "the COVID-19 pandemic may cause individuals to suffer a loss of income, which in turn may delay rent payments, mortgage-loan payments, or the like"

In both Maryland and Pennsylvania, the actual cause of a tenant's failure to pay rent is immaterial, meaning that a landlord with a tenant who has not paid rent in the months leading up to now is still barred from evicting their tenant. That said, nothing in the order bars a landlord from pursuing a claim against the tenant for rent or other obligations accruing during the period of the stay. The landlord is simply not permitted to seek court intervention to remove their tenant for nonpayment while the stay is in place.

We read these orders to still permit a landlord to take certain steps during the stay, though all circumstances are different and require a case-by-case analysis.

The attorneys in the Barley Snyder Real Estate and Litigation practice groups will be keeping a very close eye on developments related to the COVID-19 pandemic and will update clients throughout the process. Anyone with a question can contact [Paul Minnich](#), [Chris Naylor](#) or any of the attorneys in the [Real Estate](#) or [Litigation](#) groups.

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