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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1137 Session of  
2024

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INTRODUCED BY SAVAL, SCHWANK, COSTA, KEARNEY, HAYWOOD, FONTANA,  
STREET, CAPPELLETTI, COMITTA, BARTOLOTTA, KANE AND MUTH,  
APRIL 5, 2024

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REFERRED TO JUDICIARY, APRIL 5, 2024

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in dockets, indices and  
3 other records, providing for limited access to eviction  
4 information.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Chapter 43 of Title 42 of the Pennsylvania  
8 Consolidated Statutes is amended by adding a subchapter to read:

9 SUBCHAPTER C

10 LIMITED ACCESS TO EVICTION INFORMATION

11 Sec.

12 4331. Definitions.

13 4332. Eviction case limited access.

14 4333. Prohibition on disclosure of information in limited  
15 access eviction file.

16 4334. Procedures.

17 § 4331. Definitions.

18 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Disseminate." The oral or written transmission or  
4 disclosure of a court file to individuals or agencies other than  
5 the court that retain the information.

6 "Eviction case." An action brought under Article V of the  
7 act of April 6, 1951 (P.L.69, No.20), known as The Landlord and  
8 Tenant Act of 1951.

9 "Eviction information." Information collected by the court  
10 arising from the initiation of an eviction case consisting of  
11 identifiable descriptions and dates of parties involved in the  
12 eviction case, documents filed in the eviction case and  
13 information or record of activity associated with the eviction  
14 case.

15 "Limited access eviction file." Eviction information barred  
16 from dissemination.  
17 § 4332. Eviction case limited access.

18 (a) General rule.--Except as provided under subsection (b),  
19 a court or the Administrative Office may not disseminate to an  
20 individual or post on an Internet website a limited access  
21 eviction file unless a final disposition of the case in favor of  
22 the plaintiff is present and the case is less than seven years  
23 old.

24 (b) Exception.--A court may disseminate a limited access  
25 eviction file in the following circumstances to:

26 (1) a party to the eviction case, including a party's  
27 attorney;

28 (2) an occupant of the premises who provides the clerk  
29 of court with the names of one of the parties or the case  
30 number and presents documentation to support a claim of

1 occupancy;

2 (3) a person that, upon a showing of good cause, obtains  
3 a court order to access a limited access eviction file;

4 (4) an attorney, law firm or legal organization seeking  
5 to review a court file for purposes of evaluating possible  
6 legal advice or considering providing legal representation to  
7 a party to the eviction case or an occupant of the premises  
8 at issue in the eviction case, but in no case for an  
9 alternative commercial or business purpose under this  
10 paragraph;

11 (5) a nonprofit entity or educational institution  
12 seeking court files exclusively for research purposes that  
13 are in no way connected to commercial activities. In addition  
14 to the prohibitions under section 4333 (relating to  
15 prohibition on disclosure of information in limited access  
16 eviction file), court files requested for research purposes  
17 under this paragraph shall not be furnished by the nonprofit  
18 entity or educational institution to any outside  
19 organizations and the nonprofit entity or educational  
20 institution may not publish any individual tenant names in  
21 public reports or other communications; or

22 (6) other parties or entities if the parties to the  
23 eviction case agree that the limited access eviction file may  
24 be disseminated.

25 (c) Limited access eviction file.--Within 180 days of the  
26 effective date of this subsection, and on a monthly basis  
27 thereafter, courts shall automatically place under limited  
28 access all eviction information:

29 (1) When seven or more years have elapsed since the  
30 filing date of the eviction case.

1       (2) If a court vacates a judgment or marks a judgment  
2       satisfied.

3       (3) If a court opens or sets aside a default judgment  
4       and enters a disposition that is subject to limited access  
5       under subsection (a).

6       (d) Satisfaction of judgment.--If a tenant pays a money  
7       judgment in full or leaves the property after a judgment only  
8       for possession has been entered but on or before the ordered or  
9       agreed-upon move-out date, or both pays a money judgment in full  
10       and leaves the property on or before the ordered or agreed-upon  
11       move-out date if a money judgment and a judgment for possession  
12       are entered, the landlord shall, within 30 days, either notify  
13       the court to mark the judgment satisfied or provide the tenant  
14       with all documentation required by the court to mark the  
15       judgment satisfied.

16       (e) Disclosure.--An individual may not be required or asked  
17       to disclose information about a limited access eviction file. An  
18       individual required or asked to provide information in violation  
19       of this subsection may respond as if the limited access eviction  
20       file does not exist. This subsection shall not apply if Federal  
21       law, including rules and regulations, requires the consideration  
22       of information contained in a limited access eviction file.

23       (f) Applicability.--Except as provided under subsection (c),  
24       this section applies to eviction cases filed on or after the  
25       effective date of this subsection.

26       § 4333. Prohibition on disclosure of information in limited  
27       access eviction file.

28       (a) General rule.--A person may not disseminate any  
29       information contained in a limited access eviction file. This  
30       subsection does not apply to a defendant in an eviction case.

1 (b) Furnishing information.--A person that regularly and in  
2 the ordinary course of business furnishes information to a  
3 consumer reporting agency, including a tenant screening service,  
4 and has furnished information that the person knows or  
5 reasonably should know, is contained in a limited access  
6 eviction file, shall promptly notify the consumer reporting  
7 agency of that determination and shall cease furnishing  
8 information contained in the limited access eviction file.

9 (c) Disclosure prohibited.--A consumer reporting agency,  
10 including a tenant screening service, shall not disclose the  
11 existence of a limited access eviction file in a report or  
12 communication or consider the limited access eviction file as a  
13 factor to determine any score or recommendation to be included  
14 in any consumer report, including a tenant screening report.

15 (d) Violation.--A violation of subsection (b) or (c)  
16 constitutes an unlawful practice under the act of December 17,  
17 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and  
18 Consumer Protection Law.

19 (e) Private cause of action.--A tenant or occupant may bring  
20 a private cause of action seeking compliance with this section.

21 (f) Recovery.--If a person violates this section, the tenant  
22 or occupant has the right to recover an amount equal to and not  
23 more than two months' rent or twice the damages sustained,  
24 whichever is greater, and reasonable attorney fees.

25 (g) Construction.--Nothing in this section shall prohibit  
26 the dissemination of information regarding a money judgment for  
27 the sole purpose of collection.

28 (h) Applicability.--This section applies to an eviction case  
29 filed on or after the effective date of this subsection.

30 § 4334. Procedures.

1       Each court shall issue monthly, and provide to the  
2 Administrative Office, a list of all court files to which the  
3 court has limited access within the previous 31 days in  
4 accordance with section 4332(c) (relating to eviction case  
5 limited access). The Administrative Office shall quarterly  
6 transmit to an entity that regularly collects and disseminates  
7 court records, including data brokerage, consumer reporting or  
8 tenant screening agencies, a list of all limited access eviction  
9 files to which a court has limited access within the previous  
10 quarter in accordance with section 4332(c).

11       Section 2. This act shall take effect in 180 days.