

**SUPREME COURT OF PENNSYLVANIA
MINOR COURT RULES COMMITTEE**

ADOPTION REPORT

**Amendment of Rule 514.1 of the Pennsylvania Rules of Civil Procedure
Governing Actions and Proceedings Before Magisterial District Judges**

On November 24, 2025, the Supreme Court amended Rule 514.1 of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges to clarify the time frame for a victim of domestic violence to assert the 30-day appeal period from a residential landlord-tenant judgment. The Minor Court Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

Background

The Court previously adopted rules concerning the 30-day appeal period in residential lease actions for tenants who are victims of domestic violence. See 50 Pa.B. 4502 (September 5, 2020). Pa.R.Civ.P.M.D.J. Rule 514.1 was intended to implement 68 P.S. § 250.513(b), which specifically provides that “within thirty days after a judgment by a lower court arising out of a nonresidential lease or *a residential lease* involving a victim of domestic violence, either party may appeal to the court of common pleas” *Id.* A victim of domestic violence is statutorily defined as “a person who has obtained a protection from abuse order against another individual or can provide other suitable evidence as the court shall direct.” *Id.* § 250.513(e). The definition of victim of domestic violence in Pa.R.Civ.P.M.D.J. 501(3) and Pa.R.Civ.P.M.D.J. 1001(10) differs from 68 P.S. § 250.513(e) by omitting the phrase “as the court shall direct,” insofar as courts do not “direct” the parties on the evidence needed to substantiate their claims.

To avail oneself of the extended appeal period, a tenant who is a victim of domestic violence, as defined in Pa.R.Civ.P.M.D.J. 1001(10), may file a form affidavit with the magisterial district court to stay the execution of an order for possession. Staying the execution of the order for possession allows the tenant who filed the domestic violence affidavit to appeal the magisterial district court judgment within the extended 30-day period without the risk of eviction. However, if the tenant does not file the affidavit with the magisterial district court before the 22nd day after the date of the entry of judgment, the tenant may be at risk of eviction notwithstanding § 250.513(b).

The Committee received reports of tenants attempting to use the domestic violence affidavit after the first 30 days following entry of the judgment. For example, a

magisterial district judge recently advised the Committee that a tenant who had appealed an adverse judgment in a landlord-tenant proceeding attempted to file a domestic violence affidavit after the termination of a *supersedeas* at the court of common pleas and well after 30 days from the entry of the magisterial district court judgment. In this case, the tenant attempted to use the domestic violence affidavit to stay eviction after the expiration of the appeal period.

Rule Changes

After consideration, the Committee believed Rule 514.1 would benefit from greater specificity regarding the time limits for filing a domestic violence affidavit. While subdivision (c) identifies the point when a stay granted following the filing of a domestic violence affidavit terminates, the Committee agreed that subdivision (a) should be amended to state the window for filing the affidavit.

The Committee published for public comment amendments intended to clarify the time for filing a domestic violence affidavit pursuant to Rule 514.1 See 55 Pa.B. 441 (January 18, 2025). The proposal also includes stylistic revisions. No comments were received in response to the publication.

Subdivision (a) is amended to provide that the domestic violence affidavit may be filed within 30 days after the date of entry of the judgment by the magisterial district judge. Subdivision (a) was further revised to clarify that a stay issued pursuant to the rule is subject to the limits of subdivision (c). New commentary was added to the rule to explain that the domestic violence affidavit may only be filed between the entry of the judgment in the magisterial district court and the filing of an appeal with the prothonotary, but no later than 30 days after the date of judgment. These amendments are intended to clarify that the protections of the domestic violence affidavit are only available during the 30 days following entry of the judgment for possession and not at subsequent stages following an appeal.

Subdivision (c) clarifies that the stay of execution of the order for possession following the filing of a domestic violence affidavit may be in effect for up to 30 days after entry of the judgment. Subdivision (c) was further amended by adding subdivision designations to the three events that terminate the stay.

The amendment takes effect on April 1, 2026.