

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Housing Authority of the City	:	
of Pittsburgh	:	
	:	
v.	:	
	:	
Delilah Tiller-Lowe,	:	No. 986 C.D. 2024
Appellant	:	Submitted: April 13, 2026

BEFORE: HONORABLE ANNE E. COVEY, Judge
HONORABLE LORI A. DUMAS, Judge
HONORABLE STELLA M. TSAI, Judge

OPINION NOT REPORTED

MEMORANDUM OPINION
BY JUDGE TSAI

FILED: September 1, 2026

Delilah Tiller-Lowe (Defendant) appeals, *pro se*, from the April 24, 2024 verdict¹ of the Court of Common Pleas of Allegheny County (trial court) entered in favor of the Housing Authority of the City of Pittsburgh (HACP) in this landlord-tenant matter. After review, we conclude that Defendant has waived all of her issues on appeal. For that reason, we dismiss the appeal and deny a motion to quash appeal filed by HACP.

I. BACKGROUND

Briefly, Defendant began renting real property from HACP in a low-income housing community in the City of Pittsburgh pursuant to a written lease on September 12, 2017. Defendant's daughter, Leslie Tiller (Tiller), was initially a co-tenant on the same lease, but Tiller later moved to a different residence, which HACP also owned. HACP eventually evicted Tiller from that other residence and

¹ As explained further below, this appeal properly lies from the judgment entered on May 31, 2024.

placed her on HACP's No Trespass/Exclusion List (Exclusion List) "due to multiple instances of threat[en]ing and harassing behavior that was directed at various HACP staff members." Complaint, ¶ 6. As a condition of Defendant's lease with HACP, Defendant could not knowingly permit individuals on the Exclusion List into the rented premises. Nevertheless, Defendant allowed Tiller to reside with her at the rented premises.

After sending a notice of this violation of the lease, among others, to Defendant, HACP filed a landlord-tenant complaint in the magisterial district court. After a hearing, the magisterial district court entered judgment in favor of HACP on November 14, 2023. Defendant filed a timely appeal from the judgment of the magisterial district court to the trial court.

The trial court conducted a non-jury trial on April 17, 2024, and held its decision under advisement. The trial court entered a verdict in favor of HACP on April 24, 2024. Defendant did not file any post-trial motions. HACP filed a praecipe to enter judgment on the trial court's verdict on May 29, 2024. The trial court entered judgment on May 31, 2024. Defendant filed a notice of appeal on June 4, 2024.²

The trial court entered an order on October 16, 2024,³ directing Defendant to file a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b) by November 5, 2024. Defendant did not file a Rule 1925(b) statement. On February 5, 2025, the trial court issued a Rule 1925(a) opinion concluding that this

² Appellant initially appealed to the Superior Court, which transferred the appeal to this Court on August 2, 2024.

³ The trial court's order is dated October 15, 2024, but was served on the parties on October 16, 2024. *See* Pa.R.A.P. 108(b) (providing that the date of entry of an order in any matter subject to the Pennsylvania Rules of Civil Procedure is the date on which the clerk gave written notice of the order to the parties as required by Pa.R.Civ.P. 236(b)).

appeal was untimely filed and, in the alternative, that Defendant waived her issues because she failed to file any post-trial motions. *See* Trial Ct. Op. at 4-8 (unpaginated).

II. ISSUES

As best as we can discern,⁴ Defendant argues that either HACP did not have an Exclusion List prior to these proceedings and/or that Tiller did not belong on the Exclusion List because she did not threaten or harass any HACP staff.

HACP filed with this Court a motion to quash appeal on August 5, 2024. Therein, HACP argues that, because Defendant failed to file any post-trial motions, she has waived all of her issues on appeal, and HACP requests the Court to quash this appeal. HACP also argues in its appellate brief that Defendant’s “failure to file a post-trial motion is fatal to her appeal.” HACP’s Brief at 9.

III. DISCUSSION

A. Timeliness of the Appeal

Before we reach the merits of Defendant’s issues on appeal, we must first determine if the appeal is timely. *See In re Hawknet Props., LLC*, 320 A.3d 849, 856 (Pa. Cmwlth. 2024) (explaining that “[t]he timeliness of an appeal goes to the subject matter jurisdiction of this Court to hear and decide the appeal, which issue we may raise *sua sponte* at any time”). The trial court has suggested that the appeal was untimely filed because it was filed more than 30 days after the trial court entered its verdict in this matter. *See* Trial Ct. Op. at 3, 7-8 (unpaginated).

“Technically, an appeal lies from the judgment entered and not the denial of post-trial motions, and a verdict does not become final for purposes of appeal until

⁴ We note that we may liberally construe materials filed by a *pro se* litigant but that *pro se* status confers no special benefit upon a litigant. *See Kozicki v. Unemployment Comp. Bd. of Rev.*, 299 A.3d 1055, 1063 (Pa. Cmwlth. 2023).

properly reduced to and entered as a formal judgment under [Pa.R.Civ.P.] 227.4.” *Newman & Co. v. City of Philadelphia*, 249 A.3d 1240, 1242 n.1 (Pa. Cmwlth. 2021) (citations omitted and some formatting altered).

Pennsylvania Rule of Appellate Procedure 903 provides, in relevant part: “Except as otherwise prescribed by this rule, the notice of appeal required by Rule 902 (manner of taking appeal) shall be filed within 30 days after the entry of the order from which the appeal is taken.” Pa.R.A.P. 903(a).

Additionally, Pennsylvania Rule of Appellate Procedure 105 provides:

An appellate court for good cause shown may upon application enlarge the time prescribed by these rules or by its order for doing any act, or may permit an act to be done after the expiration of such time, but the court may not enlarge the time for filing a notice of appeal, a petition for allowance of appeal, a petition for permission to appeal, a petition for review, or a petition for specialized review.

Pa.R.A.P. 105(b).

Here, the trial court entered its verdict in favor of HACP on April 24, 2024, but the trial court did not enter judgment until May 31, 2024. Defendant filed her notice of appeal on June 4, 2024. Because Defendant filed her notice of appeal within 30 days of the entry of judgment, it was timely filed. *See* Pa.R.A.P. 903(a). Although the notice of appeal erroneously states that the appeal was taken from the trial court’s “order” of April 17, 2024, instead of the judgment entered on May 31, 2024, this appeal is properly before this court. *See Newman & Co.*, 249 A.3d at 1242 n.1.

B. Issue Preservation

Next, we address Defendant’s failure to file post-trial motions and HACP’s application to quash based on Defendant’s purported waiver of her issues by failing to file post-trial motions. *See Trigg v. Child. ’s Hosp. of Pittsburgh of UPMC*, 229

A.3d 260, 269 (Pa. 2020) (“[T]he issue of waiver presents a question of law, and, as such, our standard of review is *de novo* and our scope of review is plenary.”); *D&R Sports, Inc. v. Commonwealth*, 233 A.3d 1009, 1013 n.5 (Pa. Cmwlth. 2020) (“[A]n appellate court may *sua sponte* refuse to address an issue raised on appeal that was not raised and preserved below.” (quoting *Siegfried v. Borough of Wilson*, 695 A.2d 892, 894 (Pa. Cmwlth. 1997))).

Pennsylvania Rule of Civil Procedure 227.1 provides, in relevant part:

(a) After trial and upon the written Motion for Post-Trial Relief filed by any party, the court may

- (1) order a new trial as to all or any of the issues; or
- (2) direct the entry of judgment in favor of any party; or
- (3) remove a nonsuit; or
- (4) affirm, modify or change the decision; or
- (5) enter any other appropriate order.

. . . .

(c) Post-trial motions shall be filed within ten days after

- (1) verdict,

Pa.R.Civ.P. 227.1(a), (c)(1). “The purpose for Rule 227.1 is to provide the trial court with an opportunity to correct errors in its ruling and avert the need for appellate review.” *Chalkey v. Roush*, 805 A.2d 491, 494 n.9 (Pa. 2002).

Therefore, “a party must file post-trial motions at the conclusion of a trial in any type of action in order to preserve claims that the party wishes to raise on appeal. Issues not raised in a timely post-trial motion will be deemed waived.” *State Farm Fire & Cas. Co. v. JPC Grp., Inc.*, 157 A.3d 1, 5 (Pa. Cmwlth. 2017); *see also Liparota v. State Workmen’s Ins. Fund*, 722 A.2d 253, 256 (Pa. Cmwlth. 1999)

(stating “[w]here a party fails to file timely post-trial motions after a bench trial, no issues are preserved for this Court to review”).

It is well-established that “[u]nder Pennsylvania law, *pro se* [litigants] are subject to the same rules of procedure as are represented [litigants].” *Kozicki*, 299 A.3d at 1063. Further, “we remain mindful of the axiom that ‘any lay person choosing to represent herself in a legal proceeding must, to some reasonable extent, assume the risk that her lack of expertise and legal training will prove her undoing.’” *City of Philadelphia v. Shih Tai Pien*, 224 A.3d 71, 82 (Pa. Cmwlth. 2019).

Here, the trial court explained:

Under Pa.R.C[iv].P. 227.1, a party seeking to appeal a non-jury verdict must file a post-trial motion within ten (10) days after a trial court enters the verdict. Pa.R.C[iv].P. 227.1(c)(1). Where Rule 227.1(c) applies, as it does here, an appellant must file post-trial motions at the conclusion of a trial in any type of action in order to preserve claims that the party wishes to raise on appeal. . . . Defendant was required to file a Motion for Post-Trial Relief but did not. Thus, . . . Defendant failed to preserve a question that would sustain her appeal.

Trial Ct. Op. at 7 (unpaginated) (some citations and quotation marks omitted).

Therefore, Defendant’s failure to file post-trial motions resulted in the waiver of all issues on appeal. Accordingly, we are compelled to dismiss Defendant’s appeal and deny HACP’s motion to quash appeal. *See Sahutsky v. H.H. Knoebel Sons*, 782 A.2d 996, 1001 n.3 (Pa. 2001) (explaining that quashal is appropriate where the order below is unappealable, untimely, or the appellate court lacks jurisdiction and that dismissal is the appropriate disposition where the appellant’s issues are waived).

IV. CONCLUSION

Accordingly, we dismiss this appeal and deny HACP's motion to quash appeal.

STELLA M. TSAI, Judge

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ORDER

AND NOW, this 1st day of September, 2026, the appeal of Appellant Delilah Tiller-Lowe from the May 31, 2024 judgment of the Court of Common Pleas of Allegheny County is DISMISSED, and the motion to quash appeal filed by the Housing Authority of the City of Pittsburgh is DENIED.

STELLA M. TSAI, Judge