

Land Banks

A Land Bank in Pennsylvania is defined as “a public body and a body corporate and politic” established under Chapter 21 of Title 68 (relating to Real and Personal Property). Land banks are one of the tools that municipalities may use to facilitate the return of vacant, abandoned and tax-delinquent properties to productive use. See 68 Pa.C.S. § 2102(5).

Land Banks are not Municipal Authorities or any other type of authority, with the exception of Act 33 designation (below). Like authorities, land banks may be created by counties and municipalities (a city, a borough, a township and an incorporated town) with a population of more than 10,000; or by two or more municipalities with populations less than 10,000 that enter into an intergovernmental cooperation agreement to establish and maintain a land bank; or a combination of land bank jurisdictions and municipalities. A county or municipality that meets the above criteria is considered a “land bank jurisdiction.” See 68 Pa.C.S. § 2103.

For more information, see Act 153 of 2012, approved October 24, 2012 (P.L. 287, No. 153), as amended (68 Pa.C.S. § 2101, et seq.).

To form a land bank in Pennsylvania, the ordinance creating the land banks must be filed with the Department of State’s Bureau of Corporations and Charitable Organizations. There is no pre-printed form available for land bank filings and no docketing statement or advertising is required. However, the ordinance must contain the information required by 68 Pa.C.S. § 2104(a) and (c)(2). The ordinance should also specify the registered office address of the Land Bank. This address is either an actual street address or rural route box number (no post office box address is permitted) or a commercial registered office provider.

The ordinance must be accompanied by a filing fee of \$125.

Land Bank amendments or dissolutions are similarly filed with the Department of State’s Bureau of Corporations and Charitable Organizations. These filings must contain the information required by the relevant sections of the enabling act, as well as a filing fee of \$70. Please be sure to include a registered office address for the Land Bank as part of the filing.

Act 33 of 2018 added subsection (h) to 68 Pa.C.S. § 2104 (relating to Redevelopment authority). Act 33 permits certain land bank jurisdictions (those located in a second A, third, fourth, fifth, sixth, seventh, or eighth class county) to designate a pre-existing redevelopment authority created for the jurisdiction as a land bank for the jurisdiction, by adopting an ordinance and filing it with the Department of State. The ordinance will be treated and filed by the Department as an amendment to the redevelopment authority’s existing record of incorporation.

The ordinance must contain specifics on:

- (1) The manner by which residents will be provided an opportunity to have input into the land bank decision-making process;
- (2) Policies regarding former owner-occupants who are occupying homes acquired by the land bank. The policies must show a preference for keeping the former owner-occupants in their homes, wherever feasible.
- (3) Additional terms and conditions the land bank jurisdiction deems reasonable and necessary for operation of the land bank.

See 68 Pa.C.S. § 2104(h).

As required by Act 33, the Department has created a [model ordinance](#) for this designation.