Distressed Tenant Emergency Help Manual Cambria and Indiana Counties

Rule 1531

According to Pennsylvania Rule of Civil Procedure 1531 if you can show that:

"immediate and irreparable injury will be sustained before notice can be given or a hearing held, the court may issue a preliminary or special injunction without a hearing or without notice."

What does this mean?

If your landlord shuts off your utilities, you can petition the court for emergency relief in the form of a preliminary injunction where your landlord will be ordered by the court to turn the utilities back on.

What if the utilities are shut off because I did not pay rent?

Even if you did not pay rent, your landlord still must give you 10 days written notice before they can evict you. In those ten days it is illegal for your landlord to turn off your utilities. If you are being evicted for something other than nonpayment of rent, the landlord must give you 15 days written notice if your lease is for less than one year. If the lease is for a year or longer, then the notice requirement is 30 days.

Please fill out and submit only the forms indicated in the instructions listed in your county. County by County instructions are in the subsequent pages along with instructions on how to fill out each form followed by a blank form for you to fill out and file with the court.

What do I need in order to file?

- 1. Fill out the attached **Civil Cover Sheet** (Form 1).
- 2. Fill out the attached **Petition for a Rule to Show Cause** (Form 2).
- 3. Fill out the attached **Order of the Court** form (Form 3).
- 4. A bond may be put in place, however can be waived or reduced by filling out and filing the attached **Motion to Proceed in Forma Pauperis** (Form 4).
- 5. File the Civil Cover Sheet, Order of the Court, Motion to Proceed in Forma Pauperis, and Petition for a Rule to Show Cause at the Prothonotary Office in the county in which you live in. A list of the Address can be found below.
- 6. An order will be issued by the judge regarding the preliminary injunctive relief, and a hearing will be scheduled in approximately 10 days.

ALL DOCUMENTS MUST BE FILLED OUT IN BLUE OR BLACK INK

Cambria County Prothonotary Office

200 Center Street Ebensburg, PA 15931 814-472-1638

Monday – Saturday 9:00 am – 4:00 pm

Jefferson County Prothonotary Office

1st Floor 825 Philadelphia Street Indiana, PA 15701 724-465-3855

Monday – Friday 8:00 am – 4:00 pm

Supreme Court Civil Cover Sheet – Form 1

Every case that goes through civil court must be accompanied by a civil cover sheet. You will fill this cover sheet out no matter what county you live in. This will give the Court and the Prothonotary Office all the basic information needed to file your complaint.

The numbers on these instructions correspond with the numbers in the boxes on the form. Use the form with the boxes to guide you through filling out the blank form.

- Box 1: Print the name of the county in which you are filing.
- Box 2: Fill in the checkbox listed as "Petition".
- Box 3: Print your full name.
- Box 4: Print your landlord's name
- Box 5: Fill in the checkbox listed as "NO".
- Box 6: Fill in the checkbox listed as "NO".
- Box 7: Fill in the checkbox listed as "NO".
- Box 8: Fill in the checkbox listed as "Check here if you have no attorney".
- Box 9: Fill in the checkbox listed as "Landlord/Tenant Dispute".

DO NOT FILL OUT ANYTHING ELSE ON THIS FORM

	Supreme Court of Penn	sylvania			
	Court of Common Plo Civil Cover Sheet	eas County	For Prothonotary Use Only: Docket No:		
	The information collected on this for supplement or replace the filing and			n purposes. This form does not quired by law or rules of court.	
S	Commencement of Action: Complaint Transfer from Another ion	mons	Petition Declaration of Taking	4	
E C T	Lead Plaintiff's Name:	5	Lead Defendant's Nam	ne:	
I O	Are money damages requested?	□ Yes □ No	Dollar Amount Ro (check one)		
N	Is this a Class Action Suit?	6 → No	8 n MD	J Appeal?	
A	Name of Plaintiff/Appellant's Attorn Check here if you		(are a Self-Represer	nted [Pro Se] Litigant)	
	Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your <i>PRIMARY CASE</i> . If you are making more than one type of claim, check the one that you consider most important.				
S E C T I O N	TORT (do not include Mass Tort) Intentional Malicious Prosecution Motor Vehicle Nuisance Premises Liability Product Liability (does not include mass tort) Slander/Libel/ Defamation Other: MASS TORT Asbestos Tobacco Trovic Tort - DES	Buyer Plaintif	on: Credit Card on: Other Dispute:	CIVIL APPEALS Administrative Agencies Board of Assessment Board of Elections Dept. of Transportation Statutory Appeal: Other Zoning Board Other:	
В	Toxic Tort - DES Toxic Tort - Implant Toxic Waste Other: PROFESSIONAL LIABLITY Dental Legal Medical Other Professional:	Ground Rent Landlord/Tena Mortgage Ford	ain/Condemnation	MISCELLANEOUS Common Law/Statutory Arbitration Declaratory Judgment Mandamus Non-Domestic Relations Restraining Order Quo Warranto Replevin Other:	

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

		477
	Docket No:	STAN
_ County		- 12

For Prothonotary Use Only:

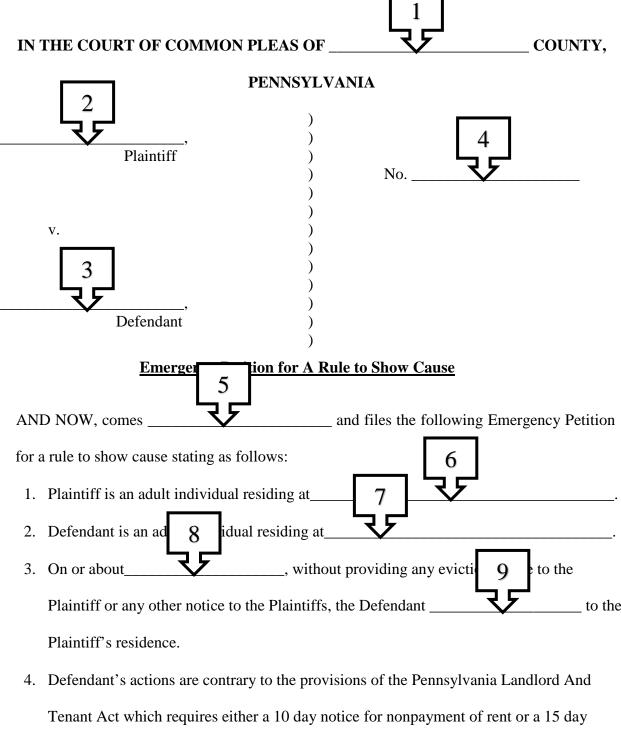
	The information collected on this for supplement or replace the filing and s					
S	Commencement of Action: Complaint Writ of Summons Petition Transfer from Another Jurisdiction Declaration of Taking					
E C	Lead Plaintiff's Name:			Lead Defendant's Nam	ne:	
T I O	Are money damages requested?	∃Yes	□ No	Dollar Amount Ro (check one)		within arbitration limits outside arbitration limits
N	Is this a Class Action Suit?	∃Yes	□ No	Is this an MD	J Appeal?	☐ Yes ☐ No
A	Name of Plaintiff/Appellant's Attorne	-	attorney (are a Self-Represer	nted [Pro S	e] Litigant)
		SE. If you	ı are maki	case category that r		
S E C T I O N	TORT (do not include Mass Tort) Intentional Malicious Prosecution Motor Vehicle Nuisance Premises Liability Product Liability (does not include mass tort) Slander/Libel/ Defamation Other: MASS TORT Asbestos Tobacco Towic Tort, DES	Buy Deb Deb Emp	er Plaintiff of Collection of Collection bloyment D crimination bloyment D	n: Credit Card n: Other	Boar Boar Dept Statu	trative Agencies and of Assessment and of Elections and of Transportation attory Appeal: Other and Board
В	Toxic Tort - DES Toxic Tort - Implant Toxic Waste Other: PROFESSIONAL LIABLITY Dental Legal Medical Other Professional:	Ejec Emi Grou Land Mor Mor	nent Doma und Rent dlord/Tenar tgage Fore tgage Fore ition et Title	in/Condemnation	☐ Com ☐ Decl ☐ Man ☐ Non Rest	-Domestic Relations raining Order Warranto evin

<u>Petition for the Rule to Show Cause – Form 2</u>

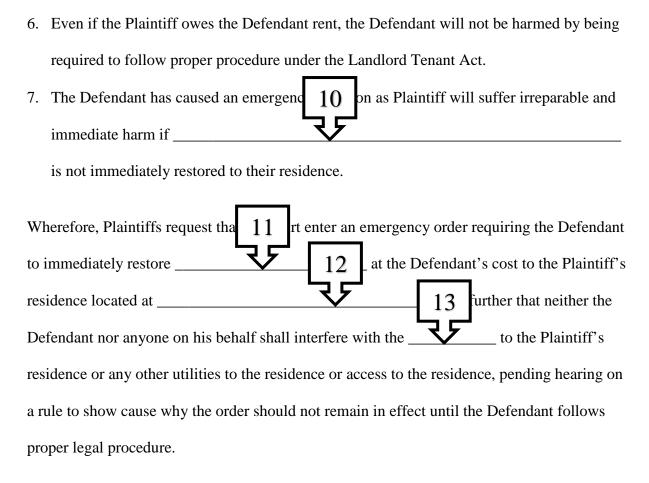
This form is to be filled out to tell the court what is happening and what relief you want to happen from the grant of an order. Be sure you fill this form out accurately in order to have your utilities restored and be allowed to remain on the premises.

The numbers on these instructions correspond with the numbers in the boxes on the form. Use the form with the boxes to guide you through filling out the blank form.

- Box 1: Print the name of the count in which you are filing.
- Box 2: Print your full name.
- Box 3: Print your landlord's name.
- Box 4: If you have been assigned a docket number, print it on this this. If you have yet to be assigned a docket number leave this line empty until you are assigned one.
- Box 5: Print your name.
- Box 6: Print your address.
- Box 7: Print your landlord's address.
- Box 8: Print the date when your utilities are shut off.
- Box 9: Write out what you landlord did to prompt your filing. Ex. "Shut off heat."
- Box 10: Indicate the utility you need to restore.
- Box 11: Indicate what you want the court to order. Ex. "Turn the heat on."
- Box 12: Print your address.
- Box 13: write down the utility that was interfered with.
- Box 14: Sign your name and write today's date as indicated.
- Box 15; Print your name.
- Box 16: Sign your name on the line.



- notice for any other breach of the lease followed by a hearing at the Magistrate.
- 5. The Defendant's actions are an illegal use of self-help in an attempt to force the Plaintiff tenants to leave the residence. Self-help is not favored in Pennsylvania.

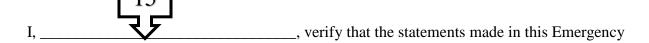


Respectfully submitted,

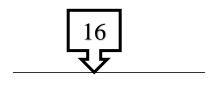


Plaintiff, Pro Se

Verification



Petition for a Rule to Show Cause are true and correct. We understand that false statements herein are made subject to penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification o authorities.



Plaintiff Signature

IN THE COURT	OF COMMON PLEAS OF	COUNTY,
	PENNSYLVA	NIA
Pl	aintiff)) () () () () () () () ()	No
v.))	
Def))) iendant)	
	Emergency Petition for A Rule	e to Show Cause
AND NOW, comes	s a	nd files the following Emergency Petition
for a rule to show c	ause stating as follows:	
1. Plaintiff is an	adult individual residing at	
2. Defendant is a	n adult individual residing at	
3. On or about	, without	providing any eviction notice to the
Plaintiff or an	y other notice to the Plaintiffs, th	e Defendant to the
Plaintiff's resi	dence.	
4. Defendant's a	ctions are contrary to the provisi	ons of the Pennsylvania Landlord And
Tenant Act wh	nich requires either a 10 day noti	ce for nonpayment of rent or a 15 day
notice for any	other breach of the lease follows	ed by a hearing at the Magistrate.
5. The Defendan	t's actions are an illegal use of so	elf-help in an attempt to force the Plaintiff

tenants to leave the residence. Self-help is not favored in Pennsylvania.

6.	Even if the Plaintiff owes the Defendant rent, the Defendant will not be harmed by being
	required to follow proper procedure under the Landlord Tenant Act.
7.	The Defendant has caused an emergency situation as Plaintiff will suffer irreparable and
	immediate harm if
	is not immediately restored to their residence.
Wh	nerefore, Plaintiffs request that the court enter an emergency order requiring the Defendant
to i	mmediately restore at the Defendant's cost to the Plaintiff's
resi	idence located at And further that neither the
Def	fendant nor anyone on his behalf shall interfere with the to the Plaintiff's
resi	idence or any other utilities to the residence or access to the residence, pending hearing on
a ru	ale to show cause why the order should not remain in effect until the Defendant follows
pro	per legal procedure.
	Respectfully submitted,
	Plaintiff, Pro Se

Verification

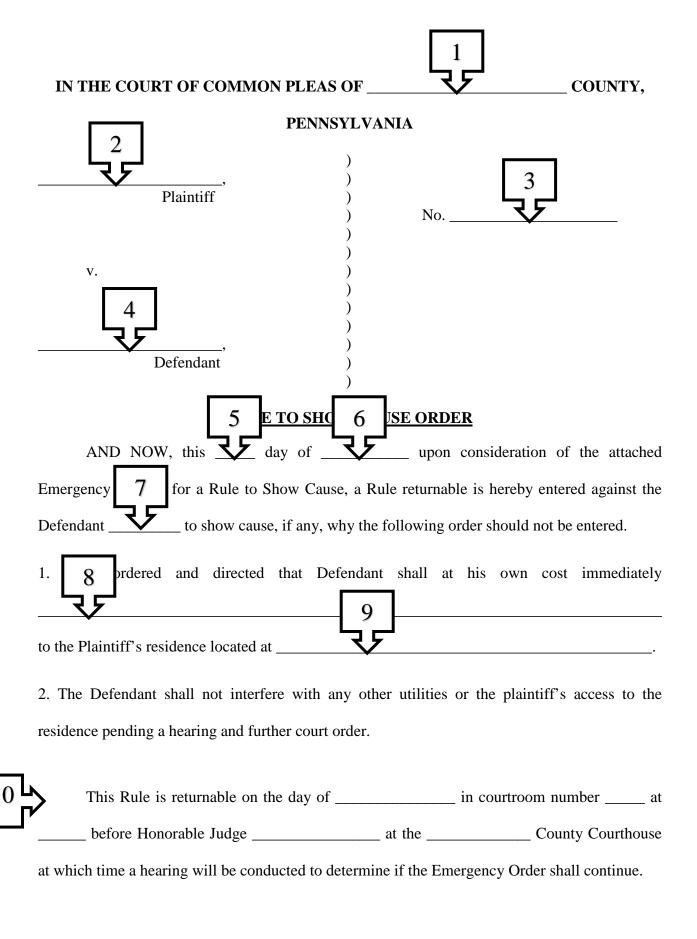
I,	_, verify that the statements made in this Emergency
Petition for a Rule to Show Cause are tru	e and correct. We understand that false statements
herein are made subject to penalties of 18	3 Pa.C.S. § 4904 relating to unsworn falsification o
authorities.	
	Plaintiff Signature

Order of the Court – Form 2

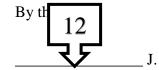
This form will act as the order upon the Judge signing it. This will be what you and the Landlord must abide by. Fill out the information as correctly as possible as this will be the document that the Landlord must abide by once issued by the Judge.

The numbers on these instructions correspond with the numbers in the boxes on the form. Use the form with the boxes to guide you through filling out the blank form.

- Box 1: Print the county in which you are filing.
- Box 2: Print your full name exactly as you have written it on the prior forms.
- Box 3: If you have been provided a docket number by the Prothonotary Office, print it on the line. If you have not been assigned a docket number leave this line empty until one has been assigned.
- Box 4: Print the name of your landlord.
- Box 5: Print the date that you are filing.
- Box 6: Print the month and year that you are filing your paperwork.
- Box 7: Print you landlord's name.
- Box 8: Write out a brief description of why you need the Rule to Show Cause, specifically what actions are required to return your home to livable conditions. Be sure to be and specific and concise as possible.
- Box 9: Print your address.
- Box 10: Leave the lines in this area empty. The Judge will fill these out when he issues the order.
- Box 11: Print the county in which you are filing.
- Box 12: Leave this line Empty. The Judge will sign this line issuing the Rule to Show Cause Order.



In the event the Def 11 ails or refuses to comply with the terms of the Emergency Order, the Sheriff of ______ County or any other appropriate law enforcement agency shall assist the Plaintiffs to ensure compliance with the Emergency Order.



IN THE COURT OF COMMON PLE	AS OF			COU	NTY,
PEN	INSYLVAN	NIA			
Plaintiff,))))	No. <u>-</u>			_
v.))))				
Defendant ,))				
RULE TO SI	HOW CAU	SE ORDI	<u>ER</u>		
AND NOW, this day of		upon	consideration	of the	attached
Emergency Petition for a Rule to Show C	ause, a Rul	e returnab	le is hereby en	itered ag	gainst the
Defendant to show cause, if any	y, why the fo	ollowing o	order should not	be enter	red.
1. It is ordered and directed that	Defendant	shall at	his own co	ost imn	nediately
to the Plaintiff's residence located at					
2. The Defendant shall not interfere with	n any other	utilities	or the plaintiff	f's acces	ss to the
residence pending a hearing and further cou	ırt order.				
This Rule is returnable on the day	of		in courtroom	number	at
before Honorable Judge	8	t the	Co	ounty Co	ourthouse
at which time a hearing will be conducted to	o determine	if the Em	ergency Order	shall con	itinue.

In the event the Defendant fails or r	refuses to comply with the terms of the Emergency
Order, the Sheriff of	County or any other appropriate law enforcement
agency shall assist the Plaintiffs to ensure con	mpliance with the Emergency Order.
	Dry the count
	By the court,
	J.

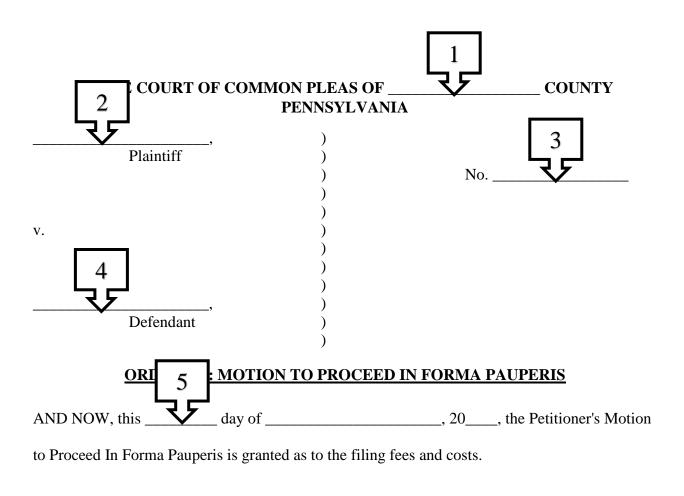
Petition to Proceed in Forma Pauperis – Form 4

When filing for injunctive relief, it is generally required that the petitioner pay court and filing fees, however, the courts do understand that this is not possible for some individuals. If you are unsure if you will be able to pay for filing fees, you will need to fill out the Petition to Proceed in Forma Pauperis. Once granted by a judge, this petition will allow for filing fees to be waived and filing for injunctive relief will be free of cost to you. Be sure to fill this form out carefully and completely.

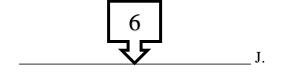
The numbers on these instructions correspond with the numbers in the boxes on the form. Use the form with the boxes to guide you through filling out the blank form

- Box 1: Print the county in which you are filing for custody.
- Box 2: Print your name as you did on the complaint.
- Box 3: If you have been assigned a docket number by the prothonotary office, you will print it in on this line. If you have not been assigned a docket number, leave this line black until you have been assigned one.
- Box 4: Print the defendant's name as you did on the complaint.
- Box 5: You will leave the lines for the date empty so that the Judge can fill them out.
- Box 6: Leave this line empty. The Judge will sign this line upon granting the motion.
- Box 7: Print the county in which you are filing for custody.
- Box 8: Print your name as you did on the complaint.
- Box 9: If you have been assigned a docket number, you will print it in on this line. If you have not been assigned a docket number, leave this space empty until you have been assigned one.
- Box 10: Print the name of the Defendant as you did on the complaint.
- Box 11: Print your name and your address on the appropriate lines.

- Box 12: If you are currently employed, use these lines to designate who you employer is, what their address is, your salary or wages at that job, and the type of work you do with that employer.
- Box 13: If you are presently unemployed, use these lined to indicate the date you were employed last, the salary or wages you made at that job, and the type of work done.
- Box 14: In section c, you are to indicate any other income that you have received within the last 12 months. On these lines, you are to list any income that has come from business, self-employment other than your job, interest on accounts/investments, dividends, pensions and annuities, social security benefits, support payments, disability payments, unemployment compensation/supplemental benefits, worker's compensation, public assistance, and other forms of income you may receive not listed.
- Box 15: In section d, you are to list gross amounts of income contributed to the household by members of the household other than yourself. This includes spousal income, and their employment information, children's contributions, parental contributions, and other contributions from others in the household.
- Box 16: In section e, you are to list any property owned. Property includes not only real estate, but cash, money in checking and savings accounts, certificates of deposit, motor vehicles, stocks and bonds, and other like property.
- Box 17: In Section f, you are to list any regular monthly obligations such as your mortgage, rent, loans, utilities, insurance and other bills.
- Box 18: In section g, you are to list all of your dependents and persons who depend upon you for support. This can include but is not limited to a spouse, children, or elderly parents.
- Box 19: Print the date.
- Box 20: Sign your name on the line.



BY THE COURT,



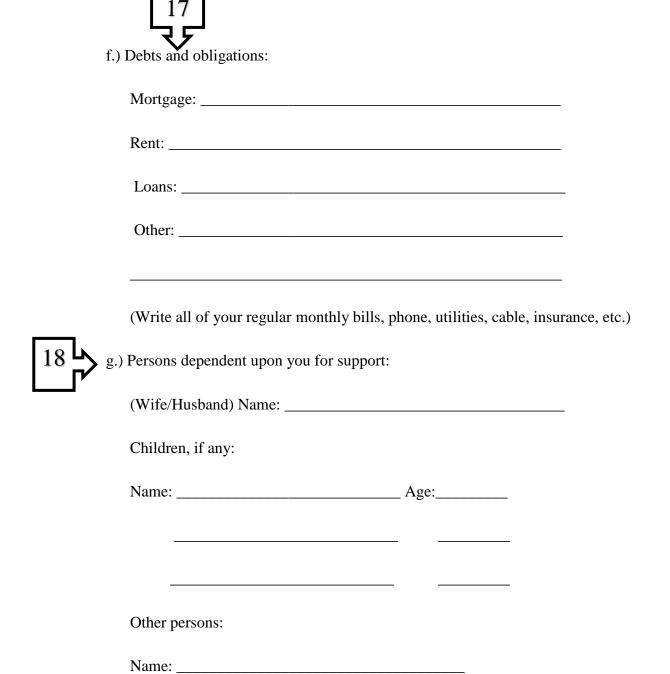
			7	CONTINUE
	8 COURT OF CO	OMMON PLEAS OF ₋ PENNSYLVAN	IA V	_ COUNTY
	万)		9
	Plaintiff)	No.	₹ ,
)		
v.)		
	10)		
)		
	Defendant)		
)		
	<u>PETITION TO PR</u>	OCEED IN FORMA	PAUPERIS & AFFI	<u>DAVIT</u>
1.	I am the petitioner in the ab			
2.	I am unable to obtain funds Costs of litigation.	s from anyone, includin	g my family and asso	ciates, to pay the
3.	I represent that the information True and correct:	ntion below relating to n	ny ability to pay the fo	ees and costs is
Г	a.) My Name is:			
	11 🖒			
L	My Address is: _			
	_			
	b.) Employment:			
12	If you are presently e	mployed, state your:		
	Employer:			
	Employer's Address:			

	Salary or wages per month:	
	Type of work:	
13	If you are presently unemployed, state:	
ш′	Date of last employment:	
	Salary or wages per month:	
	Type of work:	
c.)	Please list any other income received within the past twelve months:	
14 🖒	(Write the gross amount (before taxes) per month that you received	
	you received this income.)	
	Business or profession:	
	Other self-employment:	
	Interest:	
	Dividends:	
	Pension and annuities:	-
	Social security benefits:	
	Support payments:	
	Disability payments:	
	Unemployment compensation and/or supplemental benefits:	
	Workers' Compensation:	
	Public assistance:	
	Other:	



d)	Other	contributions	to hous	ehold	sunnort
u.)	Ould	Committed	io nous	enoia	SUDDOIL

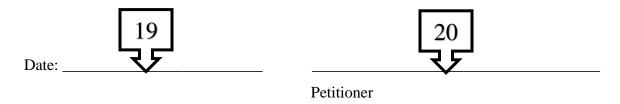
(Write the gross amount (before taxes) per month that you received and the months you received this income.) (Wife) (Husband) Name: _____ If your (wife) (husband) is employed, please state Employer: Salary or wages per month: Type of work: _____ Contributions from children: Contributions from parents: Other contributions: e.) Property owned: Cash: ____ Checking Account: Savings Account: Certificates of deposit: Real estate (including home): Motor Vehicle: Make______, Year______, Cost: _____ Amount Owed: _____ Stocks and bonds:



4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

Relationship:

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 3a.C.S. § 4904, Relating to unsworn falsification to authorities.



IN THE COURT	IN THE COURT OF COMMON PLEAS OFPENNSYLVANIA			COUNTY
Plaintiff v.)))))	No	
Defendant))) O BROCKED II	N EODMA DA	AUDEDIC
AND NOW, this	RE: MOTION TO			
to Proceed In Forma Pau				the retuoner's Motion
		BY THE COU	JRT,	
				Ţ

IN THE COURT OF COMMON PLEAS OF			COUNTY
		PENNSYLVANIA	
	Plaintiff)	
)	No
)	
v.)	
)	
)	
	Defendant)	
)	
	<u>PETITION TO PROC</u>	CEED IN FORMA PAUPERI	S & AFFIDAVIT
1.	I am the petitioner in the above	ve matter and because of my fin	ancial condition am unable to
	pay the fees and costs of prose	ecuting or defending this action	or proceeding.
2.	Lam unable to obtain funds fr	om anyone, including my famil	y and associates to pay the
	Costs of litigation.	om anyone, mercang my ramin	y and associates, to pay are
3. I represent that the information below relating to my ability to pay the fees and cost			
	True and correct:		
	a.) My Name is:		
	Mr. Adduses in		
	My Address is:		
	b.) Employment:		
	If you are presently emp	ployed, state your:	
	Employer:		
	Employer's Address:		

Salary or wages per month:	
Type of work:	
If you are presently unemployed, state:	
Date of last employment:	
Salary or wages per month:	
Type of work:	
c.) Please list any other income received within the past twelve months:	
(Write the gross amount (before taxes) per month that you received and t	he months
you received this income.)	
Business or profession:	
Other self-employment:	
Interest:	
Dividends:	
Pension and annuities:	
Social security benefits:	
Support payments:	
Disability payments:	
Unemployment compensation and/or supplemental benefits:	
Workers' Compensation:	
Public assistance:	
Other:	

d.) Other contributions to household support:				
(Write the gross amount (before taxes) per month that you received and the months				
you received this income.)				
(Wife) (Husband) Name:				
If your (wife) (husband) is employed, please state				
Employer:				
Salary or wages per month:				
Type of work:				
Contributions from children:				
Contributions from parents:				
Other contributions:				
e.) Property owned:				
Cash:				
Checking Account:				
Savings Account:				
Certificates of deposit:				
Real estate (including home):				
Motor Vehicle: Make, Year,				
Cost: Amount Owed:				
Stocks and bonds:				
Other:				

f.) Debts and obligations:					
Mortgage:					
Rent:					
Loans:					
Other:					
(Write all of your regular monthly bills, phone, utilities, cable, insurance, etc.)					
g.) Persons dependent upon you for support:					
(Wife/Husband) Name:					
Children, if any:					
Name:	Age:	_			
		_			
		_			
Other persons:					
Name:					
Relationship:					

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in	this affidavit are true and correct. I understand that	
false statements herein are made subject to the penalties of 18 3a.C.S. § 4904, Relating to		
unsworn falsification to authorities.		
Date:	Petitioner	