

UTILITY RIGHTS AND PROTECTIONS FOR TENANTS

HAS YOUR LANDLORD SHUT OFF YOUR UTILITIES?

If the utility bill is in your landlord's name and they stopped paying the bill, you have the right to keep your service on by paying the current charges every month.

- If your service is already off and you did not receive a 30-day notice, call the utility company and tell them that you are a tenant at the residence and that the landlord is responsible for paying the bill. The utility should restore your service within 24 hours and provide you with proper notice about the shut-off.
- You can keep your service on by *paying the last 30 days of charges.*
- You do not need to put service in your name. However, you may choose to depending on your specific circumstances – and especially if doing so would get you access to utility assistance programs and grants to help pay for service.

- You will not be held responsible for the debt under the landlord's name – only the monthly bills going forward, which you may deduct from your rent each month. Make sure you keep receipts! If you live in a multi-family building and there is only one bill for the entire building, you will need to organize with the other tenants to make the monthly payments in full.
- If the landlord tries to retaliate/evict you for paying the utility bill and deducting it from your rent, you have the right to file a countersuit for two months' rent payments or actual damages (whichever is greater), the costs of filing a lawsuit, and reasonable attorney's fees.
 - [Contact your local legal aid office](#) as soon as possible if the **landlord threatens to evict you** or you get an eviction notice/notice to quit.

If the utility bill is in your name, you should call your utility company right away and let them know that you are a tenant living at the residence.

- The utility company cannot turn off your service at the request of the landlord without verifying that you agreed to the shut off or that the property is vacant.
- If you were already shut off without proper notice, the utility should turn your service back on within 24 hours.

No matter whose name the bill is in, if your landlord turns off service by physically turning off a water valve or removing, blocking, or damaging a breaker or meter, you should call your local legal aid office right away. **It is illegal to try to evict a tenant by turning off utility service.**

If you believe you are paying for service in shared common areas in an apartment building (like a lobby or floor hallway) or another residence, that's called a **foreign load**. Foreign load protections apply to PUC-regulated utility companies only (most large electric and gas companies and some water companies).

- You can call the utility company and request a foreign load investigation. They will send someone out to check the meters and/or breakers.
- If you have been paying for service that you shouldn't have been charged for, the utility company will put the account (and any current debts on the account) in the landlord's name until the issue is fixed.
- You will only be responsible for charges after the issue is fixed.
- Your landlord cannot retaliate/evict you for reporting a foreign load. If your landlord retaliates or tries to evict you because you reported foreign load, [reach out to your local legal aid office](#) right away.

Pennsylvania Utility Law Project
118 Locust Street
Harrisburg, PA 17101

Are you facing a utility shutoff?
Pennsylvania residents may be eligible for free help.

Search for your local legal aid program:
<https://palegalaid.net/legal-aid-providers-in-pa>

Or, call our toll-free hotline at
[1-844-645-2500](tel:1-844-645-2500)
or email us at
utilityhotline@pautilitylawproject.org



References

- Discontinuance of Service to Leased Premises 66 Pa. C.S. 1521
- Utility Service Tenants Rights Act (USTRA), 68 P.S. 399.1
- Some local ordinances also include Utility Rights and Protections for Tenants. [Contact your local legal aid office](#) if you lease a property and have trouble establishing utility service due to a previous resident's debt at the address.

I Need Help Affording My Utility Bill. What Can I Do?

First, Contact Your Utility Company!

Provide your income information to the utility company. You may be eligible for all or some of the following programs:

Customer Assistance Program (CAP)

- Provides a monthly discount on your bill, pauses your debt, and offers debt forgiveness with consistent payments made over time.

Hardship Fund

- Typically up to \$500 once per year to resolve a temporary hardship.

Low Income Usage Reduction Program (LIURP)

- If you're using a lot of electricity or gas and it's causing your bills to be unaffordable, LIURP may be able to help you find ways to lower your usage and bills at no cost.

Request a payment arrangement.

- Your utility company can give you as many payment arrangements as they want and spread them out for as long as they want. However, they are not required to give more than one payment arrangement for the same debt.
- If you had a recent payment arrangement but fell behind, ask your utility company what the "catch-up" payment is – it may be less than what they are asking for on a shut-off notice. If you've already broken a payment arrangement, the utility company may deny you another one. You should tell them if your circumstances have changed since the last time you had one.

Apply for the Low-Income Home Energy Assistance Program (LIHEAP) every year (Available November – April).

LIHEAP Cash Grant

- Provides a cash grant to your utility company to be used towards your bill.
- Pennsylvania residents who are responsible for paying their heat and meet income guidelines may be eligible

LIHEAP Crisis Grant

- Provides cash assistance to prevent termination or help reconnect service that was previously terminated, and can assist with emergency oil, propane, wood, or coal delivery cost.
- If you received a shutoff notice, have less than 15 days of deliverable fuel remaining, or have had your service shut off, you may qualify for a Crisis Grant in addition to a Cash Grant.

LIHEAP Crisis Interface / Weatherization

- Will repair or replace a broken heating system

Apply in person at your local County Assistance Office (CAO) or at www.compass.state.pa.us/.

If you are a tenant and your service was shut off because the landlord stopped paying or requested that service be shut off:

- The utility company should give you 30 days' notice and allow you to pay the current charges to maintain service.
- The utility might not know you are a tenant. Be sure to call and tell them.
- You cannot be held responsible for your landlord's existing debt.
- You do not need to put service in your name, although sometimes it may make sense for you to do so.

You may be eligible for special protections due to your specific circumstances.

- If you meet the income guidelines, you cannot have your service shut off for nonpayment between December 1st and March 31st.
- If you have an active Protection from Abuse Order (PFA), you cannot have your service shut off for debt under the name of the abuser or someone else's name even if you were living in the residence when the debt accrued. You should also receive a longer payment arrangement.
- If you have a medical condition that requires utility service to treat (for example, you require electricity service to your refrigerator to keep your medications cold) or have a serious illness, contact your utility company. The company should give you three days to contact your doctor and [get a medical certificate](#).
 - You do not have to explain what your condition is. Just tell the utility company that you are getting a medical certificate.
 - Your doctor, physician's assistant, or nurse practitioner can fax the medical certificate directly to the utility company.
 - In the meantime, you should do your best to pay your current charges. A medical certificate stops termination for up to 30 days from date of issuance. You may submit a new certificate every 30 days if you pay all current charges by the due date. Even if you do not pay current charges by the due date, you may renew medical certificates two additional times (90 days of protection).

File a complaint with the PA Public Utility Commission (PA PUC)

If you have applied for the assistance programs previously mentioned and are still struggling to keep your service on, you can file a complaint with the PUC if:

- You think your bill is wrong.
- The utility company isn't offering you a reasonable payment arrangement.
- You believe you were wrongfully denied:
 - A medical certificate.
 - Protections that you're entitled to because you have a PFA.
 - Your application for CAP or a hardship fund.
- You were not given proper notice before your service was shut off.
- You think the company violated any other rule or regulation regarding your service.

While your complaint is pending, your service cannot be shut off, your service will not be turned on if it is already shut off, and you must continue to pay any undisputed bills.

The PUC can also (but is not required to) give you a payment arrangement.

File your informal complaint online at www.puc.pa.gov/complaints/informal-complaints or by calling 1-800-692-7380.

As a last resort, consider filing for bankruptcy.

- If you owe a lot of money to a utility company and cannot get an affordable agreement, bankruptcy may be your best option to relieve you of debt and keep your utility services connected.
- Call your [local legal services provider](#) for assistance.

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