

RULE 1008B. LANDLORD AND TENANT APPEALS

1. Except as may otherwise be provided in any related State rules, or elsewhere in these rules, no withdrawals shall be permitted from any such account except pursuant to court order, or a filed written agreement signed by all parties with an accompanying praecipe. At the conclusion of the proceedings and the expiration of the applicable appeal period, such deposits as then may exist shall be applied to the payment of any final judgment against the tenant, including costs, rendered on the appeal. Any portion of the escrowed funds not used for such purpose shall, after thirty (30) days from the date of the expiration of the any applicable appeal rights, be refunded to the tenant upon praecipe duly filed and served.
2. If a landlord files a Petition for the Release of Sums from the Escrow Account on a continuing basis as permitted by Pa.R.C.P.M.D.J. 1008B, a copy of the Petition, which shall state the reason(s) for the sums desired, shall immediately be served on the tenant and any other parties of record, with a proof of service. The court shall issue a rule to show cause why the Petition should not be granted and serve the rule on the tenant, or tenant's counsel if the tenant is represented, and any other parties of record. If no response to the rule is filed, then the Court shall, upon motion, make the rule absolute. If a response to the rule is filed, any party may file a certificate of readiness, upon receipt of which the Court shall schedule a hearing for the sole purpose of determining those sums which are appropriate solely for the purpose of compensating the landlord for the tenant's actual possession and use of the premises during the pendency of the appeal.