



*A Division of Ohio Bar Title Insurance Company  
A First American Company*

# TITLE ALERT

**Title Alert 2013-06**

**May 21, 2013**

**Extended Lien Duration for Unemployment Compensation Liens**

**Purpose:** To advise Penn Attorneys® of a statutory amendment which has extended the lien duration for unemployment compensation liens in favor of the Commonwealth of Pennsylvania and to provide an updated reference chart for Pennsylvania judgments and other liens.

**Background:** By Act effective June 12, 2012, Pennsylvania's legislature has amended the Unemployment Compensation Law to extend the lien duration of unemployment compensation liens from five years to an indefinite duration, without need for revival. 43 P.S. § 788.1(c). This amendment applies to all unemployment compensation liens filed or revived on or after June 12, 2007. Also note that unemployment compensation liens continue to attach to after-acquired property, i.e., property acquired by the defendant after the date the judgment is entered.

**Standard:** Title searches underlying a Penn Attorneys policy must include a search for unemployment compensation liens in favor of the Commonwealth of Pennsylvania against parties in the chain of title and purchasers back to June 12, 2007. The attached reference chart lists types of judgments and other liens that affect real property in Pennsylvania and provides further details on their characteristics.

**Attachment (Pennsylvania Judgments & Other Liens Chart updated 5/17/2013)**

**WARNING:** this Underwriting Communication is intended solely for the employees of Penn Attorneys/Ohio Bar Title Insurance Company and its Approved Attorneys, and is not to be distributed to third parties, and any reliance by any other person or entity is unauthorized. This Underwriting Communication is intended solely for the purpose of underwriting policies of Ohio Bar Title Insurance Company.

\*\*\*

900 State Street, Suite 320, Erie, PA 16501  
(800) 352-2216 FAX (800) 234-2352



A Division of Ohio Bar Title Insurance Company  
 A First American Company

## Pennsylvania Judgments & Other Liens

(last revised 05/17/2013)

Type of Judgment	Duration	Attaches to After-Acquired Property*	In Rem** or In Personam***	Pierces Tenancy by the Entirety****
County/Common Pleas Court Judgments	5 years from date of entry	No	In Personam	No
Commonwealth of Pennsylvania Department of Revenue Tax Liens (except income tax or withholding tax liens)	Indefinite duration (no need for revival) since 12/12/89	No	In Personam	No
Commonwealth of Pennsylvania Income Tax / Employer Withholding Tax Liens or Personal Income Tax	Indefinite duration (no need for revival) since 8/4/86	No	In Personam	No
Commonwealth of Pennsylvania Unemployment Compensation Liens	Indefinite duration (no need for revival) since 6/12/07	Yes	In Personam	No
Commonwealth of Pennsylvania Department of Public Welfare Liens	5 years from date of entry	No	In Personam	No
Commonwealth of Pennsylvania Department of Environmental Protection Liens	20 years from date of entry (OR indefinite duration if lien is pursuant to conviction or fines involving criminal activity)	No	In Personam	No
United States of America and its agencies (other than Federal tax liens)	20 years from date of entry	No	In Personam	No
Federal Tax Liens	10 years and 30 days from the date of assessment	Yes	In Personam	Yes
Federal Estate Tax Liens	10 years from the date of decedent's death	No	In Personam	No
Inheritance Tax Liens	secret lien/lien without being filed for 20 years and 9 months from the date of decedent's death	No	In Personam	No
Mechanics' Liens	Claim must be filed within 6 months from completion of work; Claimant has 2 years to file a complaint, after which he has 5 years to reduce the complaint to a judgment; 5 years from date of judgment	No	In Rem	In rem liens do not have to be filed against both spouses to attach to real estate owned by both spouses

## Pennsylvania Judgments & Other Liens

(last revised 05/17/2013)

Type of Judgment	Duration	Attaches to After-Acquired Property*	In Rem** or In Personam***	Pierces Tenancy by the Entirety****
PA Criminal Judgments (adult probation / quartersessions)	Indefinite duration (except for bail - 5 years)	No	In Personam	No
Federal Criminal Judgments	The later of 20 years from the entry of judgment or 20 years after the release from imprisonment of the person fined, or upon the death of the individual fined	Yes	In Personam	Yes
Municipal Liens	20 years from date of entry	No	In Rem	In rem liens do not have to be filed against both spouses to attach to real estate owned by both spouses
Corporate Taxes	Indefinite duration once lien is perfected (Dept of Revenue has 20 years from date taxes are settled to perfect lien by filing notice of lien with prothonotary)	No	In Personam	No
Domestic Relations	20 years after due date of last unsatisfied overdue obligation	Yes	In Personam	No
Mortgage Foreclosure Judgments	5 years from date of entry	No	In Rem	In rem liens do not have to be filed against both spouses to attach to real estate owned by both spouses
Condominium or PUD assessments	5 years from date of entry	No	In Rem	In rem liens do not have to be filed against both spouses to attach to real estate owned by both spouses
Confession of Judgment	5 years from date of entry	No	In Personam	No
Liens under Commercial Real Estate Broker Lien Act	5 years from date of entry	No	In Rem	In rem liens do not have to be filed against both spouses to attach to real estate owned by both spouses



A Division of Ohio Bar Title Insurance Company  
A First American Company

## Pennsylvania Judgments & Other Liens

(last revised 05/17/2013)

Type of Judgment	Duration	Attaches to After-Acquired Property*	In Rem** or In Personam***	Pierces Tenancy by the Entirety****
Lis Pendens	call Penn Attorneys	No	In Rem	In rem liens do not have to be filed against both spouses to attach to real estate owned by both spouses

\*After-acquired property is property acquired by the defendant after the date the judgment is entered.

\*\*In rem means that the lien attaches only to the property that is the subject of the action regardless of the name of the defendant.

\*\*\*In personam means that the lien attaches to all property owned by the defendant.

\*\*\*\*Tenancy by the entirety is property owned by husband and wife.

NOTE: IN A REFINANCE, A judgment against 1 spouse MUST BE paid if the husband and wife acquired the property together.