

Bond Case Briefs

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Estate of Guyaux v. Township of North Fayette

Commonwealth Court of Pennsylvania - May 6, 2019 - A.3d - 2019 WL 1983164

Township filed complaint in equity against estate and heir of estate, alleging violations of township's property maintenance code in connection with condemned house inherited by heir.

The Common Pleas Court entered order granting township authority to assert lien against heir for costs associated with removal of firearm collection from house, and ordering sale of firearms to satisfy such costs. Heir appealed.

The Commonwealth Court held that:

- Order was binding upon heir, and
- Trial court had legal and equitable authority to enter order.

Order stating that township could lien for costs if, after six months, it had to clear condemned property inherited by heirs, was binding upon heir, in action by township against estate and heir, alleging violations of township's property maintenance code, where heir consented to order in writing.

Trial court had legal and equitable authority to grant township authority to assert lien against heir for costs associated with clearing inherited property of firearms, to determine who would remove firearms, and to order sale of firearms to satisfy such costs, in action by township against estate and heir of estate, alleging violations of township's property maintenance code; trial court had broad authority to address public nuisance of dilapidated house, in which total of 586 weapons were stored, which required special handlers to remove, and firearms were inextricably connected to such public nuisance.