

RULE 39-410. Real Property Actions

39-410.1 Action to Quiet Title

In an action to quiet title, if service of process cannot otherwise be made under the applicable Rules of Civil Procedure, the Plaintiff may move the Court for a special Order directing the method of service. If service of process by publication is authorized, the publication shall be substantially the following form:

(Caption of Case)

To: _____:
(Name(s) of Defendant(s))

You are notified that the Plaintiff(s) has (have) commenced an action to quiet title against you which you are required to defend.

You are required to plead to the Complaint within twenty (20) days after the service has been completed by publication:

The action concerns the land here described:

(Described Land)

Insert Notice required by Pa. R.C.P. 430 (b)(1) here.

By _____
(Attorney for Plaintiff(s))

(Address of Attorney for Plaintiff(s))

The service shall be complete upon the completion of the publication.

39-410.2 Actions in Ejectment

A. When an action has been commenced by issuing a Writ and service cannot be made under the applicable Rule of Civil Procedure, the Plaintiff may move the Court for a special Order directing the method of service. If service or process by publication has been authorized, the publication shall be substantially the following form:

(Caption)

To: _____:
(Name(s) of Defendant(s))

You are hereby notified that Name(s) of Plaintiff(s), the Plaintiff(s), has (have) commenced an action of ejectment against you which you are required to defend.

You are required to enter an appearance within twenty (20) days after service has been completed by publication. If you do not enter an appearance with an address within the county where papers may be served, the Plaintiff(s) may serve the Complaint by leaving a copy with the Prothonotary of this Court marked for your use, with notice endorsed to plead to the Complaint within twenty (20) days.

This action concerns the land are described:

(Described Land)

Insert Notice required by Pa. R.C.P. 430(b)(1) here.

By _____
(Attorney for Plaintiff(s))

(Address of Attorney for Plaintiff(s))

The service of the Writ shall be complete upon the completion of the publication.

B. In default of an appearance within said period of twenty (20) days, the Complaint endorsed with a Notice to Defend may be served upon the Defendant by leaving a copy with the Prothonotary marked for the use of the Defendant.

C. When the action has been commenced by filing a Complaint endorsed with Notice to Defend and service cannot be made under the applicable Rule of Civil Procedure, the Plaintiff may move the Court for a special Order directing the method of service. If service of process by publication has been authorized, the publication shall be substantially in the following form:

(Caption)

You are hereby notified that Name(s) of Plaintiff(s), the Plaintiff(s), has (have) commenced an action of ejectment against you which you are required to defend.

The Plaintiff(s) has (have) filed (his) (her) (their) Complaint and you are required to plead to it within twenty (20) days after service has been completed by publication. A copy of the Complaint, marked for your use, has been filed with the Prothonotary of the Court of Common Pleas.

This action concerning the land here described:

(Describe Land)

Insert Notice required by Pa. R.C.P. 430(b)(1) here.

By _____
(Attorney for Plaintiff(s))

(Address of Attorney for Plaintiff(s))