

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4544. Injury to Property Restrained.

(a) The Commonwealth Trial Court, by injunction, for good cause shown, may restrain the party in possession from doing any injurious act to the property during the existence of the mortgage or pendency of the foreclosure action and until the expiration of the time allowed for redemption.

(b) A receiver may be appointed where it appears that the mortgaged real property is in danger of substantial waste or that the income from the property is in danger of being lost, or that the property is or may become insufficient to discharge the debt which it secures, and that affirmative action is needed to prevent such occurrences.

Source: DL 4-143, § 29.

Commission Comment: Section 4 of PL 6-25, the “Commonwealth Judicial Reorganization Act of 1989,” provides that “[w]herever the term ‘Commonwealth Trial Court’ appears in the Commonwealth Code, it is henceforth to be interpreted and understood to refer to the Commonwealth Superior Court.”