

Covenant Basics

What is a preservation covenant?

A covenant is a formal agreement between the State Historic Preservation Office and the owner of a historic property in which the owner agrees to ensure the maintenance and preservation of the architectural and historical characteristics that qualified the property as eligible for the National Register of Historic Places.

Why is there a covenant on my property?

Covenant agreements are frequently required as a condition for grant-funded stabilization work. To protect their monetary investment in a property, the state or federal government retains a right to review any work on the building for a period of time through the covenant agreement. Additionally, federal agencies are charged with maintaining the historic properties that they own. If historic properties are sold, transferred, or leased to non-federal entities the federal agency will often execute a covenant with the State Historic Preservation Office to protect a property in perpetuity.

What happens when the property is sold?

Covenant agreements are recorded as part of the deed for the property. The responsibility for upholding the terms of the covenant transfer to any new owner.

How long does the covenant last?

Covenants can be in place for a period of time or may run in perpetuity.

So I can't change anything on my property?

Many changes are permissible but you must receive **written** approval from the State Historic Preservation Office prior to starting any work. Most architectural covenants require work to meet the Secretary of the Interior's Standards for Rehabilitation (see inside); ten guiding principles for protecting the historic character of the building while allowing for reasonable changes. The terms of every covenant are different so be sure to carefully read your covenant.

Other Resources for Historic Property Owners

National Park Service

Technical Preservation Services:
<http://www.nps.gov/tps/>

Preservation Briefs:

<http://www.nps.gov/tps/how-to-preserve/briefs.htm>

Illustrated Guidelines for Rehabilitation:

<http://www.nps.gov/tps/standards/rehabilitation/rehab/index.htm>

Rehab Yes/No Learning Program:

<http://www.nps.gov/tps/education/rehabyes-no/index.htm>

From the Roof Down...and Skin Deep:

<http://www.nps.gov/hps/tps/roofdown/shingles.htm>

The Walk Through:

<http://www.nps.gov/tps/education/walkthrough/index.htm>

Pennsylvania Historical and Museum Commission

Consultant Lists:

http://www.portal.state.pa.us/portal/server.pt/community/historic_preservation/3741/forms_and_guidance/418107

Association for Preservation Technology

www.apti.org

Old House Journal

www.oldhousejournal.com

Traditional Building Magazine

www.traditional-building.com

Contact Us

Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation::
<http://phmc.state.pa.us/bhp>
(717) 783-8947

Complying with Preservation Covenants



Pennsylvania
Historical & Museum
Commission

Bureau for Historic Preservation

Commonwealth Keystone Building, 2nd floor

400 North Street

Harrisburg, PA 17120-0093

The Covenant Review Process

Check your deed records to see what the requirements are for the covenant on your particular property.

If you have a question of whether there is a covenant on your property or on the duration your covenant, contact the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation Office at (717) 783-8947

To initiate a review under an architectural covenant, you will need to submit the following items to the Bureau for Historic Preservation:

- A signed cover letter with a clear and detailed description of the proposed work
- Photographs of the overall property
- Photographs of specific areas of proposed work

If available, please also provide:

- Architectural drawings and specifications
- Samples of proposed replacement materials
- Historic photographs

The Bureau for Historic Preservation will respond in writing to covenant review requests within thirty (30) days of receipt.

Secretary of the Interior's Standards for Rehabilitation

Most preservation covenants require work to meet the Secretary of the Interior's Standards for Rehabilitation. First developed in 1976, these ten guiding principles for preserving the character of historic properties allow for modern changes and are a widely accepted standard for evaluating the appropriateness of proposed work. In addition to the Standards, a more detailed set of Guidelines has been developed for interpreting the principles below. The following list is a common sense version of the Standards.

To access the full version and the Guidelines, please visit:
www.nps.gov/history/hps/tps/standards/Rehabilitation.pdf

Standard 1 - Use the property for its historic purpose or anew use that requires minimal changes.

Standard 2 - Retain and preserve historic character. Avoid altering historic materials.

Standard 3 - Each property is a record of its time, place, and use. Changes shall not create a false sense of development.

Standard 4 - Retain and preserve historically significant changes.

Standard 5 - Distinctive features, finishes, and examples of craftsmanship or construction techniques shall be preserved.

Standard 6 - Repair rather than replace. Replacement of any missing feature shall be based on documentary, physical, or pictorial evidence.

Standard 7 - Avoid physical or chemical treatments that damage historic materials, and use the gentlest means possible for cleaning.

Standard 8 - Protect and preserve archaeological resources.

Standard 9 - New work should be compatible but should also be differentiated from the old.

Standard 10 - New construction should be reversible.