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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2208 Session of  
1990

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INTRODUCED BY BOYES, PESCI, GEIST, PERZEL, SCRIMENTI, GANNON AND  
TELEK, JANUARY 2, 1990

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REFERRED TO COMMITTEE ON BUSINESS AND COMMERCE, JANUARY 2, 1990

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AN ACT

1 Amending the act of April 6, 1951 (P.L.69, No.20), entitled "An  
2 act relating to the rights, obligations and liabilities of  
3 landlord and tenant and of parties dealing with them and  
4 amending, revising, changing and consolidating the law  
5 relating thereto," providing for waterbeds.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. The act of April 6, 1951 (P.L.69, No.20), known  
9 as The Landlord and Tenant Act of 1951, is amended by adding a  
10 section to read:

11 Section 207. Flotation Bedding Systems.--No landlord or  
12 landlord's agent may refuse to rent a residential dwelling unit  
13 to a prospective tenant or to continue to rent a residential  
14 dwelling unit to an existing tenant solely on the basis of that  
15 tenant's possession or use of a waterbed or flotation bedding  
16 system, provided the waterbed or flotation bedding system does  
17 not violate applicable building codes. The landlord may require  
18 that measures as are standard in the industry be taken to  
19 prevent the waterbed or flotation bedding system from causing

1 any damage to any carpet or other part of the unit. The landlord  
2 may require the tenant to carry, in the tenant's name, flotation  
3 insurance as is standard in the industry in an amount reasonable  
4 to protect the tenant and owner against personal injury and  
5 property damage to the dwelling units. In any case, the policy  
6 shall carry a loss payable clause to the owner of the building.  
7 Notwithstanding anything in this section to the contrary, a  
8 landlord may prohibit a tenant from using a waterbed or  
9 flotation bedding system if there is a reasonable expectation by  
10 the landlord that the waterbed or flotation bedding system may  
11 exceed the allowable structural loading for the unit, unless the  
12 tenant can ascertain to the contrary.

13       Section 2. This act shall take effect in 60 days.