

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 488 Session of
2003

INTRODUCED BY GREENLEAF, STACK, MOWERY, O'PAKE, LEMMOND,
KASUNIC, RAFFERTY, TARTAGLIONE, SCHWARTZ AND COSTA,
MARCH 13, 2003

REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 13, 2003

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," requiring the disclosure of flood history.

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. Disclosure of Flood History.--(a) Prior to
12 entering into a lease, the landlord shall disclose to the
13 prospective tenant whether the real property is located in a
14 flood zone or wetlands area and the property's flood history
15 including the frequency and the extent of flooding.

16 (b) The prospective tenant shall sign a form, separate and
17 apart from the lease, acknowledging receipt of this disclosure.

18 (c) This section shall apply only to the lease of
19 residential real property.

1 (d) A lease shall not be invalidated solely because of the
2 failure of any person to comply with the provisions of this
3 section. However, any person who willfully or negligently
4 violates the provisions of this section shall be liable in the
5 amount of actual damages suffered by the tenant as a result of
6 the violation. This subsection shall not be construed so as to
7 restrict or expand the authority of a court to impose punitive
8 damages or apply other remedies applicable under any other
9 provision of law.

10 Section 2. This act shall take effect in 120 days.