

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 315 Session of 2013

INTRODUCED BY GREENLEAF, FARNESE, STACK, TARTAGLIONE, BROWNE, ERICKSON, FOLMER, VULAKOVICH, SOLOBAY, KITCHEN, D. WHITE, BREWSTER AND COSTA, JANUARY 25, 2013

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 25, 2013

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 to lessees of residential real property.

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

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

12 Section 207. Disclosure of Flood History.--(a) A landlord
 13 entering into a lease of residential real property shall
 14 disclose to the prospective tenant the property's flood history,
 15 including the frequency and extent of flooding, to the extent
 16 actually known by the landlord. The landlord shall also disclose
 17 to the prospective tenant that the tenant can determine whether
 18 the property is located in a floodplain by contacting the
 19 Federal Emergency Management Agency, and the landlord shall

1 provide the address and telephone number of the nearest office
2 of that agency.

3 (b) The disclosures required by subsection (a) may be given
4 in the lease agreement.

5 (c) (1) A lease of residential real property shall not be
6 invalidated solely because of the failure of any person to
7 comply with the provisions of this section. However, any
8 person who wilfully or negligently violates the provisions of
9 this section shall be liable in the amount of actual damages
10 suffered by the tenant as a result of the violation.

11 (2) This subsection shall not be construed so as to
12 restrict or expand the authority of a court to impose
13 punitive damages or apply other remedies applicable under any
14 other provision of law.

15 (d) As used in this section, the term "residential real
16 property" means a single residential dwelling unit.

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