

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **142** Session of
2015

INTRODUCED BY GREENLEAF, KITCHEN, TEPLITZ, HAYWOOD, FONTANA,
BREWSTER, TARTAGLIONE, COSTA AND BOSCOLA, JANUARY 14, 2015

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 14, 2015

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
20 provide the address and telephone number of the nearest office

1 of that agency.

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

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

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

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

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