

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 51 Session of 2017

INTRODUCED BY GREENLEAF, SCARNATI, FOLMER, BREWSTER, FONTANA,  
COSTA, HAYWOOD AND BOSCOLA, JANUARY 12, 2017

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 12, 2017

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," in creation of leases, statute of frauds  
6 and mortgaging of leaseholds, requiring the disclosure of  
7 flood history to lessees of residential real property.

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

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

13 Section 207. Disclosure of Flood History.--(a) A landlord  
14 entering into a lease of residential real property shall  
15 disclose to the prospective tenant the property's flood history,  
16 including the frequency and extent of flooding, to the extent  
17 actually known by the landlord. The landlord shall also disclose  
18 to the prospective tenant that the tenant can determine whether  
19 the property is located in a floodplain by contacting the  
20 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) 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 person  
8 who wilfully or negligently violates the provisions of this  
9 section shall be liable in the amount of actual damages suffered  
10 by the tenant as a result of the violation.

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

15 (e) 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.