

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 64

An Act to amend and reenact § 55-248.13:2 of the Code of Virginia, as it shall become effective, relating to the Virginia Residential Landlord and Tenant Act; access to cable and other television facilities.

[H 1939]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 55-248.13:2 of the Code of Virginia, as it shall become effective, is amended and reenacted as follows:

§ 55-248.13:2. (Effective July 1, 2003) Access of tenant to cable, satellite and other television facilities.

No landlord shall demand or accept payment of any fee, charge or other thing of value from any provider of cable television service, *cable modem service*, satellite master antenna television service, direct broadcast satellite television service, subscription television service or service of any other television programming system in exchange for ~~merely~~ granting a television service provider *mere* access to the landlord's tenants or giving the tenants of such landlord *mere* access to such service. A landlord may be ~~compensated by such television service provider for the use and occupancy of the landlord's property and for any services rendered to that provider by the landlord in amounts reasonably related to the values of that property and those services rendered, including without limitation, physical occupation of the property, services provided to the provider by the landlord, costs imposed on the landlord, and benefits obtained by the provider.~~ *enter into a service agreement with a television service provider to provide marketing and other services to the television service provider, designed to facilitate the television service provider's delivery of its services. Under such a service agreement, the television service provider may compensate the landlord for the reasonable value of the services provided, and for the reasonable value of the landlord's property used by the television service provider.*

No landlord shall demand or accept any such payment from any tenants in exchange therefor unless the landlord is itself the provider of the service. Nor shall any landlord discriminate in rental charges between tenants who receive any such service and those who do not. Nothing contained herein shall prohibit a landlord from requiring that the provider of such service and the tenant bear the entire cost of the installation, operation or removal of the facilities incident thereto, or prohibit a landlord from demanding or accepting reasonable indemnity or security for any damages caused by such installation, operation or removal.