

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-470 of the Code of Virginia, relating to writs of possession;*
3 *unlawful detainer.*

4 [H 2343]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 8.01-470 of the Code of Virginia is amended and reenacted as follows:**

8 § 8.01-470. Writs on judgments for specific property.

9 On a judgment for the recovery of specific property, real or personal, a writ of possession may issue
10 for the specific property, which shall conform to the judgment as to the description of the property and
11 the estate, title and interest recovered, and there may also be issued a writ of fieri facias for the
12 damages or profits and costs. In cases of unlawful entry and detainer and of ejectment, the officer to
13 whom a writ of possession has been delivered to be executed shall, at least ~~seventy-two~~ 72 hours before
14 execution, serve notice of intent to execute, including the date and time of execution, as well as the
15 rights afforded to tenants in §§ 55-237.1 and 55-248.38:2, on the defendant in accordance with
16 § 8.01-296, with a copy of the writ attached. The execution of the writ of possession by the sheriff
17 should occur within ~~fifteen~~ 15 calendar days from the date the writ of possession is received by the
18 sheriff, or as soon as practicable thereafter, but in no event later than ~~thirty~~ 30 days from the date the
19 writ of possession is issued. In cases of unlawful entry and detainer and of ejectment, whenever the
20 officer to whom a writ of possession has been delivered to be executed finds the premises locked, he
21 may, after declaring at the door the cause of his coming and demanding to have the door opened,
22 employ reasonable and necessary force to break and enter the door and put the plaintiff in possession.
23 *The execution of the writ of possession shall be effective against the tenants named in the writ of*
24 *possession and their authorized occupants, guests or invitees, and any trespassers in the premises.* And
25 an officer having a writ of possession for specific personal property, if he finds locked or fastened the
26 building or place wherein he has reasonable cause to believe the property specified in the writ is
27 located, may in the daytime, after notice to the defendant, his agent or bailee, break and enter such
28 building or place for the purpose of executing such writ.

ENROLLED

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