

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55-79.81 of the Code of Virginia, relating to the Condominium Act;*
3 *insurance.*

4 [H 555]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 55-79.81 of the Code of Virginia is amended and reenacted as follows:**

8 § 55-79.81. Insurance.

9 A. The condominium instruments may require the unit owners' association, or the executive organ or
10 managing agent on behalf of such association, to obtain:11 1. A master casualty policy affording fire and extended coverage in an amount consonant with the
12 full replacement value of the structures within the condominium, or of such structures that in whole or
13 in part comprise portions of the common elements.14 2. A master liability policy, in an amount specified by the condominium instruments, covering the
15 unit owners' association, the executive organ, if any, the managing agent, if any, all persons acting or
16 who may come to act as agents or employees of any of the foregoing with respect to the condominium,
17 and all unit owners and other persons entitled to occupy any unit or other portion of the condominium.18 3. Such other policies as may be required by the condominium instruments, including, without
19 limitation, workers' compensation insurance, liability insurance on motor vehicles owned by the
20 association, and specialized policies covering lands or improvements in which the unit owners'
21 association has or shares ownership or other rights.22 B. When any policy of insurance has been obtained by or on behalf of the unit owners' association,
23 written notice of the obtainment thereof and of any subsequent changes therein or termination thereof
24 shall be promptly furnished to each unit owner by the officer required to send notices of meetings of the
25 unit owners' association. Such notices shall be sent in accordance with the provisions of subsection A of
26 § 55-79.75.27 C. Except to the extent otherwise provided in the condominium instruments, any insurance deductible
28 under the master casualty policy shall be paid by the unit owners' association as a common expense if
29 the cause of the damage to or destruction of any portion of the condominium originated in or through
30 the common elements or an apparatus located within the common elements. However, a unit owner shall
31 pay such deductible if the cause of any damage to or destruction of any portion of the condominium
32 originated in or through a unit or any component thereof without regard to whether the unit owner was
33 negligent.

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