

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55-248.24 of the Code of Virginia, relating to the Virginia Residential*
3 *Landlord and Tenant Act; fire or casualty damage; termination of rental agreement.*

4 [H 2164]

5 Approved

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7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 55-248.24 of the Code of Virginia is amended and reenacted as follows:**

9 § 55-248.24. Fire or casualty damage.

10 If the dwelling unit or premises are damaged or destroyed by fire or casualty to an extent that *the*
11 *tenant's* enjoyment of the dwelling unit is substantially impaired, *or required repairs can only be*
12 *accomplished if the tenant vacates the dwelling unit, either the tenant or the landlord may terminate the*
13 *rental agreement.* The tenant may ~~immediately vacate~~ terminate the rental agreement by vacating the
14 premises and within ~~fourteen~~ 14 days thereafter, serve on the landlord a written notice of his intention to
15 terminate the rental agreement, in which case the rental agreement terminates as of the date of vacating;
16 or if continued occupancy is lawful, § 55-226 shall apply.

17 *The landlord may terminate the rental agreement by giving the tenant 45 days' notice of his intention*
18 *to terminate the rental agreement based upon the landlord's determination that such damage requires*
19 *the removal of the tenant and the use of the premises is substantially impaired, in which case the rental*
20 *agreement terminates as of the expiration of the notice period.*

21 If the rental agreement is terminated, the landlord shall return all security deposits in accordance with
22 § 55-248.15:1 and prepaid rent, plus accrued interest, recoverable by law unless the landlord
23 reasonably believes that the tenant, tenant's guests, invitees or authorized occupants were the cause of
24 the damage or casualty, in which case the landlord shall account to the tenant for the security and
25 prepaid rent, plus accrued interest based upon the damage or casualty. Accounting for rent in the event
26 of termination or apportionment shall be made as of the date of the casualty.

ENROLLED

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