

2005 SESSION

INTRODUCED

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HOUSE BILL NO. 2449

Offered January 12, 2005

Prefiled January 12, 2005

A BILL to amend and reenact § 55-248.46 of the Code of Virginia, relating to termination of tenancy; manufactured home park.

Patron—Suit

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 55-248.46 of the Code of Virginia is amended and reenacted as follows:

§ 55-248.46. Termination of tenancy.

A. Either party may terminate a rental agreement which is for a term of ~~sixty~~ 60 days or more by giving written notice to the other at least ~~sixty~~ 60 days prior to the termination date; however, the rental agreement may require a longer period of notice. Notwithstanding the provisions of this section, where a landlord and seller of a manufactured home have in common (i) one or more owners, (ii) immediate family members, or (iii) officers or directors, the rental agreement shall be renewed except for reasons that would justify a termination of the rental agreement or eviction by the landlord as authorized by this chapter. A landlord may not cause the eviction of a tenant by willfully interrupting gas, electricity, water or any other essential service, or by removal of the manufactured home from the manufactured home lot, or by any other willful self-help measure.

B. If the termination is due to rehabilitation or a change in the use of all or any part of a manufactured home park by the landlord, a ~~120-day~~ written notice of 180 days or the remaining term of the lease, whichever is longer, is required to terminate a rental agreement. Changes shall include, but not be limited to, conversion to hotel, motel, or other commercial use; planned unit development; rehabilitation; demolition; or sale to a contract purchaser. This ~~120-day~~ notice requirement of 180 days or the remaining term of the lease, whichever is longer, shall not be waived; however, a period of less than ~~120~~ 180 days or the remaining term of the lease may be agreed upon by both the landlord and tenant in a written agreement separate from the rental agreement or lease executed after ~~such~~ 180 days or the remaining term of the lease notice is given and is applicable only to the ~~120-day~~ that notice period.

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HB2449