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SENATE BILL NO. 427

Senate Amendments in [] — February 6, 2006

A BILL to amend and reenact § 55-248.9:1 of the Code of Virginia, relating to Virginia Residential Landlord Tenant Act; confidentiality of tenant records.

Patron Prior to Engrossment—Senator Lambert

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 55-248.9:1 of the Code of Virginia is amended and reenacted as follows:**

§ 55-248.9:1. Confidentiality of tenant records.

A. No landlord or managing agent shall release information about a tenant or prospective tenant in the possession of the landlord to a third party unless:

1. The tenant or prospective tenant has given prior written consent;

2. The information is a matter of public record as defined in § 2.2-3701;

3. The information is a summary of the tenant's rent payment record, including the amount of the tenant's periodic rent payment;

4. The information is a copy of a material noncompliance notice that has not been remedied or, termination notice given to the tenant under § 55-248.31 and the tenant did not remain in the premises thereafter;

5. The information is requested by a local, state, or federal law-enforcement or public safety official in the performance of his duties; or

6. The information is otherwise provided in the case of an emergency.

B. A tenant may designate a third party to receive duplicate copies of a summons that has been issued pursuant to § 8.01-126 and of written notices from the landlord relating to the tenancy. Where such a third party has been designated by the tenant, the landlord shall [~~send~~ mail] the duplicate copy of any summons issued pursuant to § 8.01-126 or notice to the designated third party at the same time the summons or notice is [~~sent to~~ mailed to or served upon] the tenant. [The failure of the landlord to give notice to a third party designated by the tenant shall not affect the validity of any judgment entered against the tenant.]

ENGROSSED

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