

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55-218.1 of the Code of Virginia, relating to where service shall be sent.*

3 [H 264]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 55-218.1 of the Code of Virginia is amended and reenacted as follows:**7 § 55-218.1. Appointment of resident agent by nonresident property owner; service of process, etc., on
8 such agent or on Secretary of the Commonwealth.9 Any nonresident person as the term "person" is defined in § 55-248.4 of this title of ~~this~~ *the*
10 Commonwealth who owns and leases residential or commercial real property consisting of four or more
11 units within a county or city in ~~this~~ *the* Commonwealth shall have and continuously maintain an agent
12 who is a resident and maintains a business office within ~~this~~ *the* Commonwealth. Every lease executed
13 by or on behalf of nonresident property owners regarding any such real property shall specifically
14 designate such agent and the agent's office address for the purpose of service of any process, notice,
15 order or demand required or permitted by law to be served upon such property owner.16 Whenever any nonresident property owner fails to appoint or maintain an agent, as required herein,
17 or whenever his agent cannot with reasonable diligence be found, then the Secretary of the
18 Commonwealth shall be an agent of the nonresident property owner upon whom may be served any
19 process, notice, order or demand. Service may be made on the Secretary or any of his staff at his office
20 who shall forthwith cause it to be sent by registered or certified mail addressed to the property owner at
21 his address as shown on the ~~lease~~ *official tax records maintained by the locality where the property is*
22 *located.*23 The name and office address of the agent appointed as provided herein shall be filed in the office of
24 the clerk of the court in which deeds are recorded in the county or city wherein the property lies.
25 Recordation shall be in the same book as certificates of fictitious names are recorded as provided by
26 § 59.1-74 for which the clerk shall be entitled to a fee of \$10.27 No nonresident property owner shall maintain an action in the courts of ~~this~~ *the* Commonwealth
28 concerning property for which a designation is required hereunder until such designation has been filed.

ENROLLED

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