

# VIRGINIA ACTS OF ASSEMBLY -- 2009 RECONVENED SESSION

## CHAPTER 803

*An Act to amend the Code of Virginia by adding in Article 5 of Chapter 9 of Title 15.2 a section numbered 15.2-977, relating to notice of sale under deed of trust.*

[H 2150]

Approved April 8, 2009

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 5 of Chapter 9 of Title 15.2 a section numbered 15.2-977 as follows:**

*§ 15.2-977. Notice of sale under deed of trust.*

*A. Any locality in Planning District 8 may adopt an ordinance to require that a notice be given to the chief administrative officer or designee of that locality when residential property located within that locality becomes subject to a sale under a deed of trust.*

*B. The notice authorized by this section shall:*

- 1. Be made by the person authorized to conduct the sale under the deed of trust;*
- 2. Be given no later than when the notices required under § 55-59.1 are given;*
- 3. Include (i) the street address of the residential property, (ii) the name of all property owners, and (iii) the name and contact information, including telephone number, of the person filing the notice.*

*C. For residential properties described in subsection A, if the mortgage loan secured by the deed of trust has been registered with a national mortgage loan electronic registration system to which the locality has access and which registry includes a unique mortgage identification number specific to the loan and which number is tied to the name of the borrower, the street address of the property, and contact information consisting of the name, telephone number, and electronic address, if any, of the current mortgage lender or mortgage loan service provider and of the current property preservation contact, then the person authorized to conduct the sale under the deed of trust shall not have to give the locality the notice described in this section and shall be deemed to have complied with any such ordinance.*

*D. For purposes of this section, "residential property" means single-family detached dwellings, single-family attached dwellings, and individual residential condominium units.*