

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55-509.10 of the Code of Virginia, relating to association disclosure*  
3 *packet; exception.*

4 [H 1785]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 55-509.10 of the Code of Virginia is amended and reenacted as follows:**

8 § 55-509.10. Exceptions to disclosure requirements.

9 A. The contract disclosures required by § 55-509.4 and the association disclosure packet required by  
10 § 55-509.5 shall not be provided in the case of:

11 1. A disposition of a lot by gift;

12 2. A disposition of a lot pursuant to court order if the court so directs;

13 3. A disposition of a lot by foreclosure or deed in lieu of foreclosure; ~~or~~14 4. *A disposition of a lot by a sale at an auction, where the association disclosure packet was made*  
15 *available as part of an auction package for prospective purchasers prior to the auction sale; or*16 5. A disposition of a lot to a person or entity who is not acquiring the lot for his own residence or  
17 for the construction thereon of a dwelling unit to be occupied as his own residence, unless requested by  
18 such person or entity. If such disclosures are not requested, a statement in the contract of sale that the  
19 purchaser is not acquiring the lot for such purpose shall be conclusive and may be relied upon by the  
20 seller of the lot. The person or entity acquiring the lot shall nevertheless be obligated to abide by the  
21 declaration, bylaws, rules and regulations, and architectural guidelines of the association as to all  
22 matters.23 B. In any transaction in which an association disclosure packet is required and a trustee acts as the  
24 seller in the sale or resale of a lot, the trustee shall obtain the association disclosure packet from the  
25 association and provide the packet to the purchaser.26 C. In the case of an initial disposition of a lot by the declarant, the association disclosure packet  
27 required by § 55-509.5 need not include the information referenced in subdivisions A 2, A 3, A 5 nor A  
28 9 of § 55-509.5, and it shall include the information referenced in subdivisions A 16 of § 55-509.5 only  
29 if the association has filed an annual report prior to the date of such disclosure packet.

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