

2020 SPECIAL SESSION I

INTRODUCED

20200932D

HOUSE BILL NO. 5111

Offered August 21, 2020

A BILL to temporarily prohibit termination of rental agreements and issuance of orders of possession and writs of eviction under certain circumstances.

Patrons—Cole, J.G., Ayala, Bagby, Carroll Foy, Guzman, Hayes, Helmer, Hurst, Kory, Levine, Lopez, McQuinn, Plum, Price, Rasoul, Samirah and Willett; Senator: Hashmi

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. § 1. *That, notwithstanding any provision of law to the contrary, no rental agreement shall be terminated pursuant to § 55.1-1245 of the Code of Virginia, no order of possession shall be issued pursuant to § 8.01-126 of the Code of Virginia, and no writ of eviction shall be issued pursuant to § 8.01-470 of the Code of Virginia for any reason, except in response to a criminal or willful act that is not remediable and that poses a threat to health or safety pursuant to subsection C of § 55.1-1245 of the Code of Virginia, from the effective date of this act until 60 days after the expiration or revocation of all states of emergency declared by the Governor related to the COVID-19 pandemic, unless:*

1. The landlord has served upon the tenant a written notice informing the tenant of (i) the temporary prohibition on certain evictions created by this act; (ii) the availability of, terms of, and application process for at least one rental assistance program; and (iii) the name and contact information for any state or local agency that may be administering a rental assistance program;

2. The landlord has taken all necessary steps to apply for any available rental assistance that could assist with paying any of the tenant's rent, including all or a portion of the tenant's past due rent, and has promptly requested from the tenant any documentation that is needed from the tenant in order for the landlord to complete an application for such program;

3. If the landlord is not eligible to directly apply for rental assistance on behalf of the tenant, the landlord has promptly informed the tenant of (i) all necessary documentation that is needed for the tenant to complete an application for rental assistance; (ii) the contact information for local housing counseling agencies, if any exist; and (iii) the statewide legal aid telephone number and website; and

4. The tenant has refused to attempt to (i) apply for any available rental assistance or (ii) if the landlord is eligible to apply for a rental assistance program on behalf of the tenant, provide any information or documentation that is necessary for the landlord to complete an application for such program.

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