

**Department of Planning and Budget**  
**2020 Special Session I - Fiscal Impact Statement**

**1. Bill Number:** HB5115

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Price

**3. Committee:** Passed both Houses.

**4. Title:** Emergency laws; civil relief; citizens furloughed or otherwise receiving reduced wages or payments.

**5. Summary:** Provides a 60-day stay of an unlawful detainer for nonpayment of rent for tenants and a 30-day stay of foreclosure proceedings for owners of any residential dwelling unit and for homeowners of a one-family to four-family residential dwelling unit who request a stay and provide written proof, defined in the bill, that they are affected by the COVID-19 pandemic during the period for which the Governor has declared a state of emergency (the Emergency). The bill requires owners of residential dwelling units and homeowners who rent to a tenant a one-family to four-family residential dwelling unit to request such stay of foreclosure proceedings within 90 days of the initial declaration of the Emergency or 90 days following the end of the Emergency, whichever is later. The bill provides for an expiration of the provisions 90 days following the end of the Emergency.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final.

**8. Fiscal Implications:** The Department of Housing and Community Development has no oversight or administrative obligations regarding the Virginia Residential Landlord and Tenant Act. The department does update and publish on its website the Landlord Tenant Handbook. Any legislative changes made to the Act will be updated, but the department can do so using current resources.

Enactment eight in the introduced budget bill, HB5005/SB5015, provides that no landlord shall terminate a tenancy, or take any action to obtain possession of a dwelling unit, for any reason other than those constituting a criminal or willful act posing a threat to health or safety pursuant to subsection C of § 55.1-1245 of the Code of Virginia until after April 30, 2021. Landlords shall notify all tenants of this moratorium and the availability, terms, and application process for the COVID-19 Housing Payment Plan, which is further prescribed in the language.

House and Senate amendments to HB5005/SB5015 replace the eviction moratorium language included in the proposed budget and establish the terms by which a landlord may evict a tenant for nonpayment. Any conflict that may exist between the provisions of these

amendments and the provisions of this proposed legislation would default to the adopted budget language.

Utilizing \$50 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, the Virginia Rent and Mortgage Relief Program (RMRP), provides assistance for households facing eviction or foreclosure due to COVID-19. RMRP will provide short-term financial assistance on behalf of households in the form of rent and mortgage payments.

**9. Specific Agency or Political Subdivisions Affected:** Department of Housing and Community Development; courts.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.