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HOUSE BILL NO. 459

Offered January 12, 2022

Prefiled January 11, 2022

A BILL to provide access to adjoining property to make improvements or repairs.

Patrons—VanValkenburg; Senator: Hashmi

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. § 1. *When an owner or lessee of real property seeks to improve, repair, or maintain his property and the property is so situated that it is impossible to perform the improvements, repairs, or maintenance without entering adjoining property and permission to enter the adjoining property has been denied, or unreasonable conditions have been placed upon the entry, the owner or lessee seeking to make the improvements, repairs, or maintenance may petition the circuit court for a license to enter the adjoining property for the purpose of performing the improvements, repairs, or maintenance. The petition and affidavits, if any, shall state the facts making such entry necessary and the date or dates on which entry is sought. Such license shall be granted by the court in an appropriate case upon such terms as justice requires. Any such entry shall not be deemed a trespass and the licensee shall be liable to the adjoining owner or his lessee for actual damages occurring as a result of the entry.*

INTRODUCED

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