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SENATE BILL NO. 43

Offered January 12, 2022

Prefiled December 28, 2021

A *BILL to amend and reenact § 55.1-1259 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; county and city enforcement.*

Patrons—Favola; Delegate: Kory

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-1259 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-1259. Actions to enforce chapter.

A. In addition to any other remedies in this chapter, any person adversely affected by an act or omission prohibited under this chapter may institute an action for injunction and damages against the person responsible for such act or omission in the circuit court in the county or city in which such act or omission occurred. If the court finds that the defendant was responsible for such act or omission, it shall enjoin the defendant from continuance of such practice, and in its discretion award the plaintiff damages as provided in this section.

B. Any county or city may bring an action to enforce the provisions of this chapter related to health and safety, provided that:

1. The property where the violations occurred is within the jurisdictional boundaries of the county or city;

2. The county or city has notified the landlord who owns the property directly or through the managing agent of the nature of the violations and the landlord has not remedied the violations within a reasonable time after receiving such notice to the satisfaction of the county or city; and

3. Such enforcement action may include seeking an injunction, damages, or both.

INTRODUCED

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