

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 583

An Act to amend the Code of Virginia by adding sections numbered 55-225.1 and 55-225.2, relating to self-help evictions.

[H 1261]

Approved April 9, 1994

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 55-225.1 and 55-225.2 as follows:

§ 55-225.1. Recovery of possession limited.

A landlord may not recover or take possession of a residential dwelling unit by (i) willful diminution of services to the tenant by interrupting or causing the interruption of electric, gas, water or other essential service required to be supplied by the landlord under a rental agreement or (ii) refusal to permit the tenant access to the unit unless such refusal is pursuant to the execution of a writ of possession.

§ 55-225.2. Remedies for landlord's unlawful ouster, exclusion or diminution of service.

If a landlord unlawfully removes or excludes a tenant from residential premises or willfully diminishes services to a residential tenant by interrupting or causing the interruption of gas, water or other essential service to the tenant, the tenant may recover possession and obtain an order requiring the resumption of any such interrupted utility service or terminate the rental agreement and, in either case, recover the actual damages sustained by him and reasonable attorney's fees. If the rental agreement is terminated pursuant to this section, the landlord shall return all security given by such tenant.