

# 1994 SESSION

INTRODUCED

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## HOUSE BILL NO. 568

Offered January 25, 1994

*A BILL to amend the Code of Virginia by adding a section numbered 43-13.3, relating to affidavit of payment of mechanic's lien.*

Patrons—Reynolds and Armstrong; Senator: Goode

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 43-13.3 as follows:**

*§ 43-13.3. Affidavit of payment required of owner prior to sale or refinance.*

*Any person who is the owner of a one- or two-family residential dwelling unit not included within the scope of § 43-13.2 shall, at the time of settlement on the sale of such property, provide the purchaser, or lender in the case of a refinance, with an affidavit stating either (i) that all persons performing labor or furnishing materials in connection with the improvements on such property and with whom such owner is in privity of contract have been paid in full, or (ii) the name, address and amount payable or claimed to be payable to any person so performing labor or furnishing materials and with whom such owner is in privity of contract. Willful failure to provide such statement or any willful material misrepresentation with respect to such a statement which causes a monetary loss to any financial institution, title company, or purchaser shall be punishable as a Class 3 misdemeanor.*

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