

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 43-13.3, relating to affidavit of*
3 *payment of mechanic's lien; penalty.*

4 [H 568]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 43-13.3 as follows:**8 *§ 43-13.3. Affidavit of payment required of owner prior to sale or refinance; penalty.*

9 *Any person who is the owner of a one-family or two-family residential dwelling unit not included*
10 *within the scope of § 43-13.2 shall, at the time of settlement on the sale of such property, provide the*
11 *purchaser, or lender in the case of a permanent loan or refinance, with an affidavit stating either (i)*
12 *that all persons performing labor or furnishing materials in connection with any improvements on such*
13 *property within 120 days prior to the date of settlement and with whom such owner is in privity of*
14 *contract have been paid in full, or (ii) the name, address and amount payable or claimed to be payable*
15 *to any person so performing labor or furnishing materials and with whom such owner is in privity of*
16 *contract. Any willful material misrepresentation in the affidavit which causes a monetary loss to any*
17 *financial institution, title company, or purchaser shall be punishable as a Class 3 misdemeanor.*

ENROLLED

HB568ER