

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55-248.38:1 of the Code of Virginia, relating to the Virginia*
3 *Residential Landlord and Tenant Act; abandoned property.*

4 [H 2020]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 55-248.38:1 of the Code of Virginia is amended and reenacted as follows:**

8 § 55-248.38:1. Disposal of property abandoned by tenants.

9 If any items of personal property are left in the premises, or in any storage area provided by the
10 landlord, after the rental agreement has terminated and delivery of possession has occurred, the landlord
11 may consider such property to be abandoned. The landlord shall prepare an itemized listing of such
12 property, and may immediately remove such property from the premises or storage area to a place of
13 safekeeping where it shall be held for a period of one month from the termination of the tenancy and
14 delivery of possession. The tenant shall have the right to claim such property within said one-month
15 period, provided the tenant pays the reasonable costs incurred by the landlord in placing said property in
16 storage or safekeeping. Upon expiration of thirty days from the termination of the tenancy and delivery
17 of possession, the landlord may dispose of the property so abandoned as the landlord sees fit or
18 appropriate, provided he has given ten days' written notice to the tenant at the last known address of the
19 tenant, address correction requested, as otherwise provided in this chapter, and provided he maintains the
20 itemized listing of such property so disposed of by the landlord for a period of two years thereafter. If
21 the landlord received any funds from any sale of abandoned property as provided in this section, the
22 landlord shall pay such funds to the account of the tenant and apply same to any amounts due the
23 landlord by the tenant, including the reasonable costs incurred by the landlord in selling, storing or
24 safekeeping such property. If any such funds are remaining after application, the remaining funds shall
25 be treated as a security deposit under the provisions of § 55-248.11 of this chapter. *The provisions of*
26 *this section shall not be applicable if the landlord has been granted a writ of possession for the*
27 *premises in accordance with Title 8.01 and execution of such writ has been completed pursuant to*
28 *§ 8.01-470.*

ENROLLED

HB2020ER