

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 260

An Act to amend and reenact § 55-248.6 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; notice to tenants.

[H 830]

Approved April 7, 1998

Be it enacted by the General Assembly of Virginia:

1. That § 55-248.6 of the Code of Virginia is amended and reenacted as follows:

§ 55-248.6. Notice.

A. A person shall be deemed to have notice of a fact if he has actual knowledge of it; he has received a notice or notification of it; or, from all the facts and circumstances known to him at the time in question he has reason to know that it exists.

B. A person "notifies" or "gives" a notice or notification to another by taking steps reasonably calculated to inform another person whether or not the other person actually comes to know of it. A person "receives" a notice or notification when:

1. It comes to his attention;
2. It is served upon the recipient by regular mail, postage prepaid, and the sender retains sufficient proof of mailing which may be a United States postal certificate of mailing; or
3. It is served upon the recipient by hand delivery in accordance with Chapter 8 (§ 8.01-285 et seq.) of Title 8.01, which provides for personal or substituted service, with the exception that the sender, whether landlord, tenant or sender's agent, may serve notices hereunder, when the sender retains a certificate of mailing prepared by him;

4. In the case of the landlord, notice is served on the landlord or agent thereof at the place of business of the landlord through which the rental agreement was made, or at any place held out by the landlord as the place for receipt of the communication; or

5. In the case of the tenant, notice is served at the ~~address of the dwelling unit, or at the~~ tenant's last known place of residence, *which may be the dwelling unit.*

C. Notice, knowledge or a notice or notification received by an organization is effective for a particular transaction from the time it is brought to the attention of the person conducting that transaction, or from the time it would have been brought to his attention if the organization had exercised reasonable diligence.

D. No notice to quit the premises or of termination of tenancy served upon a tenant by a public housing authority organized under the Housing Authorities Law (§ 36-1 et seq.) of Title 36 shall be effective unless it contains on its first page, in type no smaller or less legible than that otherwise used in the body of the notice, the name, address and telephone number of the legal services program, if any, serving the jurisdiction wherein the premises are located.