

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 269

An Act to amend and reenact § 55-243 of the Code of Virginia, relating to the prevention of judgment by forfeiture.

[H 1367]

Approved April 7, 1998

Be it enacted by the General Assembly of Virginia:

1. That § 55-243 of the Code of Virginia is amended and reenacted as follows:

§ 55-243. How judgment of forfeiture prevented.

A. If any party having right or claim to such lands shall, at any time before the trial in such ejectment, or *at or* before the first court return date in an action of unlawful detainer seeking possession of a residential dwelling based upon a default in rent, pay or tender to the party entitled to such rent, or to his attorney in the cause, or pay into court, all the rent and arrears, along with any reasonable attorney's fees and late charges contracted for in a written rental agreement, interest and costs, all further proceedings in the ejectment or unlawful detainer shall cease. If the person claiming the land shall, upon bill filed as aforesaid, be relieved in equity, he shall hold the land as before the proceedings began, without a new lease or conveyance. If the parties dispute the amount of rent and other charges owed, the court shall take evidence on the issue and make orders for the tender, payment or refund of any appropriate amounts.

B. In cases of unlawful detainer, the tenant may invoke the rights granted by this section no more than one time during any twelve-month period of continuous residency in the rental dwelling unit.