

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 48

An Act to amend and reenact § 8.01-502.1 of the Code of Virginia, relating to serving notice of lien on financial institution.

[H 1527]

Approved March 5, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-502.1 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-502.1. Serving notice of lien on financial institution.

No judgment creditor or attorney for a judgment creditor shall have a notice of lien served on a financial institution under § 8.01-502 unless such judgment creditor or attorney has a reasonable basis for believing that the judgment debtor is entitled to a payment from such institution. The fact that a financial institution is doing business in a geographic area where the judgment debtor resides, works or has a place of business is not, by itself, a reasonable basis for believing that the judgment debtor is entitled to a payment from a financial institution. Any person violating this section shall be liable to a financial institution for the sum of \$100 for each notice of lien wrongfully served on such institution. In any action at law to recover an amount due hereunder, the judgment creditor or attorney for the judgment creditor causing the notice of lien to be served on the financial institution shall have the burden of showing a reasonable basis for believing that the judgment debtor was entitled to a payment from such institution.

A financial institution served with a valid notice of lien shall provide a written response to the judgment creditor or attorney for the judgment creditor within twenty-one days after being served with such notice of lien indicating the amount of money held by the financial institution pursuant to the notice of lien.