

1999 SESSION

INTRODUCED

992223759

SENATE BILL NO. 1323

Offered January 21, 1999

A BILL to amend the Code of Virginia by adding a section numbered 55-248.25:1, relating to required escrow of rent upon continuance.

Patrons—Williams, Barry, Hanger, Howell, Lambert, Lucas, Maxwell, Mims, Norment, Quayle, Ticer, Trumbo and Watkins; Delegates: Barlow, Behm, Christian, Cox, Crittenden, Croshaw, Davis, Hamilton, Hull, Ingram, Joannou, O'Brien, Reid and Williams

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55-248.25:1 as follows:

§ 55-248.25:1. Rent escrow required upon continuance of tenant's case.

Where a landlord has filed an unlawful detainer action seeking possession of the premises and the tenant seeks to obtain a continuance of the case, or to set the case for a contested trial, the court shall, upon request of the landlord, order that the tenant pay into escrow an amount equal to the rent which would be due as of the date of the continuance or the date set for the contested trial. Provided the tenant pays into escrow the required amount, the case shall be continued or set for contested trial in the court's discretion. Upon motion of the landlord, if the court finds that the tenant has failed to pay into escrow the future rent as it comes due under the rental agreement, the court shall enter judgment against the tenant.

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