

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 55-225.2, 55-248.26, and 55-248.40 of the Code of Virginia, relating to*
3 *tenant's remedies; general district court.*

4 [H 1425]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 55-225.2, 55-248.26, and 55-248.40 of the Code of Virginia are amended and reenacted**
8 **as follows:**9 **§ 55-225.2. Remedies for landlord's unlawful ouster, exclusion or diminution of service.**

10 If a landlord unlawfully removes or excludes a tenant from residential premises or willfully
11 diminishes services to a residential tenant by interrupting or causing the interruption of gas, water, or
12 other essential service to the tenant, the tenant may *obtain an order from a general district court to*
13 *recover possession and obtain an order requiring, require the resumption of landlord to resume* any such
14 interrupted utility service, or terminate the rental agreement and, in ~~either~~ any case, recover the actual
15 damages sustained by him and reasonable ~~attorney's~~ attorney fees. If the rental agreement is terminated
16 pursuant to this section, the landlord shall return all security given by such tenant.

17 **§ 55-248.26. Tenant's remedies for landlord's unlawful ouster, exclusion or diminution of**
18 **service.**

19 If the landlord unlawfully removes or excludes the tenant from the premises or willfully diminishes
20 services to the tenant by interrupting or causing the interruption of gas, water, or other essential service
21 to the tenant, the tenant may *obtain an order from a general district court to* recover possession, *require*
22 *the landlord to resume any such interrupted utility service,* or terminate the rental agreement and, in
23 ~~either~~ any case, recover the actual damages sustained by him and a reasonable ~~attorney's~~ attorney fee. If
24 the rental agreement is terminated the landlord shall return all of the security deposit in accordance with
25 § 55-248.15:1.

26 **§ 55-248.40. Actions to enforce chapter.**

27 ~~Any~~ *In addition to any other remedies in this chapter, any person adversely affected by an act or*
28 *omission prohibited under this chapter may institute an action for injunction and damages against the*
29 *person responsible for such act or omission in the circuit court in the county or city in which such act*
30 *or omission occurred. If the court finds that the defendant was responsible for such act or omission, it*
31 *shall enjoin the defendant from continuance of such practice, and in its discretion award the plaintiff*
32 *damages as herein provided.*

ENROLLED

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