

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: SB377

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Vogel

3. Committee: General Laws and Technology

4. Title: Landlord and tenant law; tenant remedies.

5. Summary: This bill provides that if a landlord unlawfully removes or excludes a tenant from leased premises or causes an interruption of utility services for leased premises, the tenant may obtain an order from general district court to recover the greater of (i) the actual damages sustained by the tenant or (ii) statutory damages in the amount of \$500 in addition to a reasonable attorney fee. Under current law, monetary damages are limited to actual damages and a reasonable attorney fee. The bill also provides that the court may terminate the lease where a tenant (a) asserts the existence of a condition or conditions that constitute a material noncompliance by the landlord with the rental agreement and (b) requests termination. Under current law, the courts may decide to terminate the lease without a request for termination by the tenant.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: It is anticipated that this bill will not result in a state fiscal impact. The Department of Housing and Community Development has no oversight or administrative obligations regarding the Virginia Residential Landlord and Tenant Act. The department does update and publish on its website the Landlord Tenant Handbook. Any legislative changes made to the Act will be updated, but the department can do so using current resources.

9. Specific Agency or Political Subdivisions Affected: Department of Housing and Community Development; local courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.