

2018 SESSION

INTRODUCED

18101369D

HOUSE BILL NO. 209

Offered January 10, 2018

Prefiled December 29, 2017

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.8, relating to duty to take reasonable precautions; criminal conduct of a third party.*

Patron—Mullin

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 in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.8 as follows:

§ 8.01-44.8. Duty to take reasonable precautions; criminal conduct of a third party.

Any person owning, operating, or managing (i) a commercial property used primarily for business purposes or (ii) residential real property that is owned by a person who owns five or more dwelling units that are used primarily for rental as a dwelling unit shall have the duty to take reasonable precautions to protect the tenants, other authorized occupants, or guests or invitees of such property against injury caused by the criminal conduct of a third party, if the danger of injury by such conduct is known to such owner, operator, or manager or is reasonably foreseeable. Any private security services business as defined in § 9.1-138 contracted to provide services to such person owning, operating, or managing such property shall have the same duty.

For the purposes of determining ownership of dwelling units, all units owned, in whole or in part, by a common owner, shareholder, member, or entity shall be included, regardless of whether such units are owned or held by separate entities.

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