

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 13 of Chapter 3 of Title 8.01 a section*
3 *numbered 8.01-130.01, relating to unlawful detainer; expungement.*

4
5 Approved

[S 640]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Article 13 of Chapter 3 of Title 8.01 a**
8 **section numbered 8.01-130.01 as follows:**

9 **§ 8.01-130.01. Unlawful detainer; expungement.**

10 *A. If an action for unlawful detainer filed in general district court is dismissed or a nonsuit is taken*
11 *and the time in which the action may be recommenced pursuant to § 8.01-229 has expired, provided*
12 *that no order of possession has been entered in the case, the defendant may file a petition on a form*
13 *created by the Supreme Court in the general district court in which the underlying unlawful detainer*
14 *action was filed requesting expungement of the court records relating to the unlawful detainer. The*
15 *petition shall provide the date that the order of dismissal or nonsuit was entered, the address of the*
16 *property that was the subject of the unlawful detainer action, and the name of the plaintiff in the*
17 *unlawful detainer action.*

18 *B. Upon finding that the unlawful detainer action was dismissed or a nonsuit was taken and the time*
19 *for recommencement of the action has expired and no order of possession was entered, the court shall,*
20 *without a hearing, enter an order requiring the expungement of the court records.*

21 **2. That the provisions of this act shall become effective on January 1, 2022.**

ENROLLED

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