

**Department of Planning and Budget**  
**2020 Special Session I - Fiscal Impact Statement**

**1. Bill Number:** HB5111

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Cole, J.G.

**3. Committee:** General Laws

**4. Title:** Virginia Residential Landlord and Tenant Act; temporary prohibition against landlord termination.

**5. Summary:** Prohibits the termination of rental agreements and the issuance of orders of possession and writs of eviction for any reason, except in response to a criminal or willful act that is not remediable and that poses a threat to health or safety, from the effective date of the act until 60 days after the expiration or revocation of all states of emergency declared by the Governor related to the COVID-19 pandemic, unless the landlord has taken certain steps, outlined in the bill, to provide certain information to the tenant and apply for, or assist the tenant with applying for, any available rental programs and the tenant has willfully refused to attempt to (i) apply for any available rental assistance or (ii) if the landlord is eligible to apply for a rental assistance program on behalf of the tenant, provide any information or documentation that is necessary for the landlord to complete an application for such program.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** 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. This bill may impact the court system.

Enactment eight in the introduced budget bill, HB5005/SB5015, provides that no landlord shall terminate a tenancy, or take any action to obtain possession of a dwelling unit, for any reason other than those constituting a criminal or willful act posing a threat to health or safety pursuant to subsection C of § 55.1-1245 of the Code of Virginia until after April 30, 2021. Landlords shall notify all tenants of this moratorium and the availability, terms, and application process for the COVID-19 Housing Payment Plan, which is further prescribed in the language. If this language is adopted, any conflict that may exist between its provisions and the provisions of this proposed legislation would default to the adopted budget language.

Utilizing \$50 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, the Virginia Rent and Mortgage Relief Program (RMRP), provides assistance

for households facing eviction or foreclosure due to COVID-19. RMRP will provide short-term financial assistance on behalf of households in the form of rent and mortgage payments.

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

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.