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

1. **Bill Number:** HB5115

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

2. **Patron:** Price

3. **Committee:** General Laws and Technolog

4. **Title:** Emergency laws; civil relief; citizens furloughed or otherwise receiving reduced wages or payments.

5. **Summary:** Provides a 60-day stay of an unlawful detainer for nonpayment of rent for tenants and a 30-day stay of foreclosure proceedings for owners of any residential dwelling unit and for homeowners of a one-family to four-family residential dwelling unit who request a stay and provide written proof, defined in the bill, that they are affected by the COVID-19 pandemic during the period for which the Governor has declared a state of emergency (the Emergency). The bill requires owners of residential dwelling units and homeowners who rent to a tenant a one-family to four-family residential dwelling unit to request such stay of foreclosure proceedings within 90 days of the initial declaration of the Emergency or 90 days following the end of the Emergency, whichever is later. The bill provides for an expiration of the provisions 90 days following the end of the Emergency.

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.

   The introduced budget bill, HB5005/SB5015, includes an enactment clause providing 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.

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

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

11. **Other Comments:** None.