

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 452

An Act to amend and reenact § 59.1-199 of the Code of Virginia, relating to Virginia Consumer Protection Act; exclusions; residential home sales between natural persons.

[S 988]

Approved March 23, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 59.1-199 of the Code of Virginia is amended and reenacted as follows:

§ 59.1-199. Exclusions.

Nothing in this chapter shall apply to:

~~A.~~ 1. Any aspect of a consumer transaction which aspect is authorized under laws or regulations of ~~this the~~ Commonwealth or the United States, or the formal advisory opinions of any regulatory body or official of ~~this the~~ Commonwealth or the United States.

~~B.~~ 2. Acts done by the publisher, owner, agent, or employee of a newspaper, periodical, or radio or television station, or other advertising media such as outdoor advertising and advertising agencies, in the publication or dissemination of an advertisement in violation of § 59.1-200, unless it be proved that such person knew that the advertisement was of a character prohibited by § 59.1-200.

~~C.~~ 3. Those aspects of a consumer transaction ~~which that~~ are regulated by the Federal Consumer Credit Protection Act, 15 U.S.C. § 1601 et seq.

~~D.~~ 4. Banks, savings institutions, credit unions, small loan companies, public service corporations, mortgage lenders as defined in § 6.2-1600, broker-dealers as defined in § 13.1-501, gas suppliers as defined in subsection E of § 56-235.8, and insurance companies regulated and supervised by the State Corporation Commission or a comparable federal regulating body.

~~E.~~ 5. Any aspect of a consumer transaction ~~which that~~ is subject to the Virginia Residential Landlord and Tenant Act (§ 55.1-1200 et seq.) or Chapter 14 (§ 55.1-1400 et seq.) of Title 55.1, unless the act or practice of a landlord constitutes a misrepresentation or fraudulent act or practice under § 59.1-200.

~~F.~~ 6. Real estate licensees who are licensed under Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1.

7. *Residential home sales between natural persons involving the seller's private residence.*