

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55.1-1259 of the Code of Virginia, relating to Virginia Residential*  
3 *Landlord and Tenant Act; enforcement by localities.*

4 [S 479]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 55.1-1259 of the Code of Virginia is amended and reenacted as follows:**8 **§ 55.1-1259. Actions to enforce chapter.**

9 A. In addition to any other remedies in this chapter, any person adversely affected by an act or  
10 omission prohibited under this chapter may institute an action for injunction and damages against the  
11 person responsible for such act or omission in the circuit court in the county or city in which such act  
12 or omission occurred. If the court finds that the defendant was responsible for such act or omission, it  
13 shall enjoin the defendant from continuance of such practice, and in its discretion award the plaintiff  
14 damages as provided in this section.

15 B. *If a condition exists in a rental dwelling unit that constitutes a material noncompliance by the*  
16 *landlord with the rental agreement or with any provision of law that, if not promptly corrected,*  
17 *constitutes a fire hazard or serious threat to the life, health, or safety of tenants or occupants of the*  
18 *premises, including infestation of rodents or a lack of heat, hot or cold running water, electricity, or*  
19 *adequate sewage disposal facilities, a locality may institute an action for injunction and damages in the*  
20 *circuit court in the county or city in which the rental dwelling unit is located to enforce the landlord's*  
21 *duty to maintain the rental dwelling unit in a fit and habitable condition, provided that (i) the property*  
22 *where the violation occurred is within the jurisdictional boundaries of the locality and (ii) the locality*  
23 *has notified the landlord who owns the property, either directly or through the managing agent, of the*  
24 *nature of the violation and the landlord has failed to remedy the violation to the satisfaction of the*  
25 *locality within a reasonable time after receiving such notice. If the court finds that the defendant failed*  
26 *to maintain the rental dwelling unit in a fit and habitable condition, it shall enjoin the defendant from*  
27 *continuance of such practice and may award the plaintiff damages.*

ENROLLED

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