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HOUSE BILL NO. 957
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on General Laws
on _____)
(Patron Prior to Substitute--Delegate Lopez)

A BILL to amend the Code of Virginia by adding a section numbered 55.1-1243.2, relating to Virginia Residential Landlord and Tenant Act; tenant's remedies for exclusion from dwelling unit due to condemnation.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55.1-1243.2 as follows:

§ 55.1-1243.2. Tenant's remedies for exclusion from dwelling unit due to condemnation.

If the landlord was notified during the tenancy that a dwelling unit was in violation of an applicable building code, such violation posed a substantial risk to the health, safety, or welfare of a tenant, and such violation resulted in the tenant being excluded from his dwelling unit due to such unit being condemned, the landlord shall be liable to the tenant for actual damages, attorney fees, and statutory damages equal to (i) any prepaid rent, (ii) any security deposit, and (iii) the greater of three months' rent or the amount of rent that accrued following the initial notice that such unit was in violation of an applicable building code, regardless of whether such rent was paid by the tenant. However, no landlord shall be liable pursuant to this section if the condemnation of the dwelling unit was proximately caused by the tenant or caused by an act of God.

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