



# Virginia Statement of Tenant Rights and Responsibilities as of July 1, 2020

This is a summary of tenants' rights and responsibilities under the Virginia Residential Landlord and Tenant Act. This summary does not modify your lease or Virginia law. A lease cannot give up a tenant's rights under the law. The information below is not intended as legal advice. Tenants with questions are encouraged to contact their local legal aid program at (866) 534-5234 or [valegalaid.org/find-legal-help](http://valegalaid.org/find-legal-help).

## Tenant Rights

### Applications:

Tenants may be charged a nonrefundable application fee of no more than \$50 (not including third party costs for a background check) and a refundable application deposit. If the tenant does not rent the unit, the application deposit must be returned, minus any actual costs or damages. (§55.1-1203)

### Written lease:

Under the VRLTA, a landlord is required to provide a tenant a written lease. If a landlord fails to do so, the VRLTA still protects a tenant by establishing a statutory lease between landlord and tenant for 12 months not subject to automatic renewal. (§55.1-1204)

### Disclosure:

A landlord must reveal certain information to the tenant, including any visible evidence of mold (§55.1-1215), the name and address of the owner or property manager (§55.1-1216) and notice of sale or foreclosure of the property. (§§55.1-1216, 1237).

### Security Deposit:

A landlord may require a security deposit of up to two month's rent. Within five days of move in the tenant has a right to object to anything in the move-in report. The tenant also has a right to be present at a move-out inspection, which must be made within 72 hours of delivery of possession. (§§55.1-1214, 1226)

### Receipts:

Upon request, a tenant is entitled to a written receipt of rent paid by cash or money order. Upon request, a tenant is entitled to a written statement of all charges and payments over the past 12 months. (§55.1-1204(D), (I))

### Privacy:

A landlord may not release information about a tenant without consent, except under certain conditions, which are generally when tenant information is already public. (§55.1-1209)

### Fit and Habitable Premises:

A tenant has the right to a fit and habitable rental unit in accordance with the Uniform Statewide Building Code. The landlord must make all repairs needed to keep premises fit and habitable. (§55.1-1220) To enforce the right to get repairs, a tenant must be current in rent, give the landlord written notice and wait a reasonable period. If repairs are not made, a tenant can file a Tenant's Assertion in General District Court. This must be filed no later than five days after rent is due. There is no rent withholding in Virginia, except under repair and deduct. (§55.1-1244)

### Repair and Deduct:

If an issue on the property affects life, health, safety, or seriously affects habitability, and a landlord has not begun to address it within 14 days after written notice from the tenant, the tenant may contract to have the repair done by a licensed contractor at a cost of not more than \$1,500, or one month's rent, whichever is more. The tenant may deduct the actual cost of the repair from the rent. The tenant must send the landlord an itemized invoice and a receipt for payment to the contractor for the work, along with any payment of remaining rent owed. (§55.1-1244.1)

PUBLIC COPY  
DO NOT REMOVE

**Eviction:**

A landlord may not evict a tenant without following the court eviction process. The landlord first sends a written notice and next the landlord files an unlawful detainer lawsuit. The landlord must get a court order of possession, followed by a Writ of Eviction that is served by the Sheriff. (§§55.1-1245, 1252). A tenant not getting paid due to a federal shutdown of 14 or more days can get an eviction lawsuit for nonpayment of rent postponed for 60 days. (§44-209)

**Redemption (Pay & Stay):**

After an unlawful detainer lawsuit for nonpayment of rent is filed, a tenant has the right to pay to a zero balance on or before the court date and have the lawsuit dismissed. After a court issues a judgment of possession, a tenant has the right to pay to a zero balance up to two business days before the Sheriff's eviction and have the eviction cancelled. A tenant may use one of these rights only once in a 12-month period. (§55.1-1250)

**Tenant Responsibilities****Rent:**

Unless the lease says otherwise, rent is due in equal payments each month on or before the first of each month. (§55.1-1204)

**Late Fees:**

If rent is not paid on time, the tenant must pay a late fee if the lease requires one. A late fee can be no more than 10% of the monthly rent, or 10% of the unpaid balance, whichever is less. (§55.1-1204(E))

**Insurance:**

A tenant may be required to have and pay for renter's insurance. A tenant also may be required to have and pay for damage insurance and/or a security deposit, but the total of both the damage insurance premiums and the security deposit may not exceed two months' rent. (§§55.1-1206, 1208)

**Access:**

A tenant must allow a landlord access to the unit at reasonable times and for practical purposes, such as maintenance, inspection, or to provide services. A tenant must allow access unless the landlord's request is unreasonable. Unless impractical due to an emergency, the landlord must give 24-hours' notice of maintenance. If the tenant requests maintenance, notice is not required. (§55.1-1229)

**Maintain Fit and Habitable Premises:**

The tenant must keep the rental unit as clean and safe as conditions allow and in accordance with the Uniform Statewide Building Code. The tenant must promptly notify the landlord of visible mold and use reasonable efforts to prevent moisture and mold. The tenant must promptly notify the landlord of insects or pests and must not be at fault in failing to prevent insects or pests. (§55.1-1227)

**Fair Housing:**

The tenant may have a right to file a fair housing complaint if the landlord or property manager violates the Virginia Fair Housing Act. (§36-96.1 et seq)

**COVID-19 Relief:**

A tenant not getting paid due to the state of emergency declared by the Governor for the COVID-19 virus can get an eviction lawsuit for nonpayment of rent postponed for 60 days by showing up on their court date and providing written proof within 90 days after the Governor ends the declaration of emergency. (§44-209)



# Acknowledgement of Receipt of Statement of Tenant Rights and Responsibilities

In accordance with [Section §55.1-1204](#) of the Code of Virginia, the undersigned parties hereby acknowledge that with respect to the dwelling unit known as:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

the Landlord has provided to the Tenant and the Tenant has received the Statement of Tenant Rights and Responsibilities developed by the Virginia Department of Housing and Community Development and posted on its website ([dhcd.virginia.gov/landlord-tenant-resources](http://dhcd.virginia.gov/landlord-tenant-resources)) pursuant to [Section §36-139](#) Code of Virginia.

_____ Landlord Signature	_____ Printed Name	_____ Date
_____ Landlord Agent (if applicable)	_____ Printed Name	_____ Date
_____ Tenant Signature	_____ Printed Name	_____ Date
_____ Tenant Signature	_____ Printed Name	_____ Date
_____ Tenant Signature	_____ Printed Name	_____ Date
_____ Tenant Signature	_____ Printed Name	_____ Date



This petition has collected  
103 signatures  
using the online tools at [www.ipetitions.com](http://www.ipetitions.com)

Printed on 2023-02-27

## Signatures

1. Name: David Kohler on 2023-02-22 09:06:49  
Comments: No need for another layer of bureaucratic oversight. Mechanisms already exist the handle these concerns.

---
2. Name: David Galpern on 2023-02-22 13:01:09  
Comments:

---
3. Name: Richard Jones on 2023-02-22 13:35:27  
Comments:

---
4. Name: Luke Catron on 2023-02-22 14:20:35  
Comments:

---
5. Name: John Fleck on 2023-02-22 14:36:49  
Comments:

---
6. Name: Michael Maynes on 2023-02-22 15:27:37  
Comments:

---
7. Name: Maureen Maynes on 2023-02-22 15:34:18  
Comments:

---
8. Name: Zach Brenner on 2023-02-22 16:41:49  
Comments:

---
9. Name: luke huggins on 2023-02-22 20:46:32  
Comments:

---
10. Name: Lynn Burriss on 2023-02-22 21:02:56  
Comments: I know there are some bad actors out there, but it seems unfair to penalize all landlords for the few that do not take proper care of their properties and the needs of their tenants. I believe that an open dialogue an a system of reporting properties that are not maintained AND the property inspection department being fully funded and equipped to deal with these problems is the right way to go.

---
11. Name: James Montgomery on 2023-02-22 21:37:22  
Comments:

---
12. Name: Scott Dalton on 2023-02-22 21:37:56  
Comments:

---

Comments:

---

27. Name: Kevin Kirwan on 2023-02-23 14:56:00  
Comments: Regulations are already in place!
- 
28. Name: Jesse Lennon III on 2023-02-23 14:56:41  
Comments: Granted, there are a few bad actors out there, however they are few and far between and there is already a mechanism in place to deal with them. The manner this got adopted and approved and that it impacts ALL rental property owners raises a multitude of questions. Why the lack of proper notice? What's the real motivation behind this? Are they afraid of / concerned this will not be approved if given proper notice? The increase in cost to the rental owner will naturally be passed along to the tenant, so why would anyone want to cause rents to increase needlessly? There are many more questions but I have run out of space..
- 
29. Name: Dines Warren on 2023-02-23 14:58:36  
Comments:
- 
30. Name: Chau Cao on 2023-02-23 15:00:40  
Comments:
- 
31. Name: Richard Warren on 2023-02-23 15:00:41  
Comments: city also has inspectors roaming the streets and a code enforcement program
- 
32. Name: Matt Brantingham on 2023-02-23 15:15:15  
Comments:
- 
33. Name: Steve Tartakovsky on 2023-02-23 15:19:47  
Comments: There are already ways for tenants to get city to inspect their housing. More headaches and costs will just get passed on to the consumer as they always do!
- Please maybe consider some more social workers to help the people get access to help they may need, like scheduling existing inspectors to come, to put money into escrow with court using tenants assertion or just explain to the landlord that there's an advocate that wants to help resolve the problems.
- There's already a system in place! Why have redundancy?
- 
34. Name: Heather Baldwin on 2023-02-23 15:19:50  
Comments:
- 
35. Name: Tyson Peterson on 2023-02-23 15:46:04  
Comments:
-

46. Name: Mark Lange on 2023-02-23 23:19:21  
Comments:
- 
47. Name: Cindy Anderson on 2023-02-23 23:28:18  
Comments:
- 
48. Name: Alex Iugovoy on 2023-02-24 03:27:26  
Comments: This is tax payers money thrown down the toilet. What will this accomplish as the tenants already have a way to make landlord make all repairs through the tenant assertion court process
- 
49. Name: John Fitzhugh on 2023-02-24 03:44:15  
Comments: The City of Richmond does not need another division of inspectors or inspections when the Virginia Residential Landlord Tenant Act already protects the tenants and holds landlords accountable.
- 
50. Name: Diana Jackson on 2023-02-24 05:01:08  
Comments: It's overkill
- 
51. Name: Frances Mason on 2023-02-24 11:30:38  
Comments:
- 
52. Name: Paul Dillard on 2023-02-24 12:19:10  
Comments:
- 
53. Name: Robyn Tyer on 2023-02-24 14:41:35  
Comments: Tenants will file complaints if there is a problem. This is inconveniencing responsible landlords with pristine properties and happy tenants.
- 
54. Name: Lindsay Ward on 2023-02-24 15:28:16  
Comments: Waste of resources
- 
55. Name: Parker Dillard on 2023-02-24 15:38:33  
Comments:
- 
56. Name: holt edmunds on 2023-02-24 16:13:56  
Comments: Intrusive and unnecessary.
- 
57. Name: Jay Victor on 2023-02-24 16:16:19  
Comments: We do not need the City of Richmond to add more laws, ordinances, or more officials to regulate rental housing when the VRLTA (<https://law.lis.virginia.gov/vacodepopulnames/virginia-residential-landlord-and-tenant-act/>) already protects the tenants and holds landlords accountable. Enforce the laws already in place! Hold slumlords accountable according to VA law!

- 
71. Name: Christopher Serafim on 2023-02-26 16:44:09  
Comments:
- 
72. Name: Edward Frankhouser on 2023-02-27 14:18:11  
Comments:
- 
73. Name: Myra Lee on 2023-02-27 14:21:32  
Comments:
- 
74. Name: kent engelke on 2023-02-27 14:55:41  
Comments:
- 
75. Name: Ben Partridge on 2023-02-27 15:27:51  
Comments: Not needed
- 
76. Name: Daniel Diefenbach on 2023-02-27 15:29:50  
Comments:
- 
77. Name: Victor Chacon on 2023-02-27 15:31:17  
Comments:
- 
78. Name: Diego Acosta on 2023-02-27 15:32:11  
Comments:
- 
79. Name: Miguel Guerra on 2023-02-27 15:33:32  
Comments:
- 
80. Name: Lawrence Shaia on 2023-02-27 15:33:52  
Comments: I say, "No" to this inspection program. It is a great inconvenience to our Tenants and an unnecessary fee to the Landlords. The City cannot keep up with the Permits as it is and now they want to add a Yearly Inspection. What is the criteria? How often does the criteria change? What are the qualifications of the Inspector? In other words, does the Inspector have any rental property knowledge or experience? If you are deficient, what is the time period for correction? What are the penalties? There are so many problems with this program. I see no advantages to the program.
- 
81. Name: Brian Rhodes on 2023-02-27 15:34:23  
Comments: This is a waste of the city of Richmond's resources. It likely also would be mismanaged. The way this proposal was brought also did not give adequate time for people to voice their opinions. Do not pass this unnecessary bill.
- 
82. Name: Mike sida on 2023-02-27 15:34:26



Comments:

---

97. Name: Jimmy montgomery on 2023-02-27 15:49:24  
Comments:

---

98. Name: Stacy kidd on 2023-02-27 15:50:29  
Comments:

---

99. Name: Angelia Guerra on 2023-02-27 15:51:18  
Comments:

---

100. Name: Sarah Louise on 2023-02-27 15:52:29  
Comments:

---

101. Name: Bobby Gamble on 2023-02-27 15:53:32  
Comments:

---

102. Name: Rocky Chewning on 2023-02-27 15:54:53  
Comments:

---

103. Name: Alan Shaiz on 2023-02-27 16:11:30  
Comments: I find this as a extensive burden on the tenant and landlord, that will do nothing to resolve the problems that are out there. Stop penalizing, law-abiding citizens. also, this will dramatically increase the cost to the tenants making living and working in downtown even further expensive.

---