

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB1251

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

2. **Patron:** Cousins

3. **Committee:** General Laws

4. **Title:** Virginia Residential Landlord and Tenant Act; material noncompliance by landlord; rent escrow.

5. **Summary:** Requires that, prior to the granting of any relief, a tenant pay into a court escrow account the amount of rent that becomes due subsequent to the initial court date. Provides that the tenant shall not be required to pay the amount of any outstanding rent, late charges, attorney fees, or other charges or damages due in order to file a tenant's assertion. Further provides that failure of the tenant to timely make such payments shall not be grounds for dismissal of the underlying action but may be considered by the court when issuing an order. Provides that a landlord is not prevented from proceeding to obtain possession if the tenant fails to timely make a rent payment into the court escrow account or obtaining a money judgment for any and all amounts due to the landlord under the rental agreement.

6. **Budget Amendment Necessary:** No.

7. **Fiscal Impact Estimates:** Preliminary. See item 8.

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.

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

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

11. **Other Comments:** None.