

2022 Session of the Virginia General Assembly
Legislative Update for the Landlord Tenant Relations Board
February 24, 2022

Bills	Committee/Vote	Last action	Date
<p>HB 160 - Mundon King - Virginia Residential Landlord and Tenant Act; landlord obligations, tenant safety.</p>	<p>(H) Committee on General Laws</p>	<p>Tabled in Appropriations (10-Y 8-N) (February 11, 2022 in the House)</p>	<p>02/11/22</p>
<p>notes: This bill would require fingerprinting and running FBI checks on all new employees. Staff recommendation is to watch. This could be very burdensome for landlords.</p>			
<p>HB 400 - Willett - Real property; affordable housing.</p>	<p>Passed House 99-0 February 9, 2022</p>	<p>Reported from General Laws and Technology (15Y 0N) February 23, 22 in the Senate.</p>	<p>2/23/22</p>
<p>notes: Requires that committed affordable units be assessed and taxed based on the rent restrictions not the market value of other comparable units without restrictions. City Staff Supports</p>			
<p>HB 465 - Bennett-Parker - Affordable dwelling unit; ordinances in certain localities.</p>	<p>(H) Committee on Counties, Cities and Towns</p>	<p>On February 15, 2022 in the House: Left in Counties, Cities and Towns</p>	<p>2/15/22</p>
<p>notes: Provides that any project may be required, outside of an affordable housing dwelling unit program, to contribute to a county or city housing fund but not for density covered by the program. The bill's provision applies to any county where the urban county executive form of government (Fairfax County) or the county manager plan of government (Arlington County) is in effect, as well as to the Counties of Albemarle and Loudoun and the Cities of Alexandria, Charlottesville, and Fairfax. Currently contributions are voluntary. This bill was drafted by City Staff and is part of the City's legislative platform.</p>			
<p>HB 596 - Clark - Rent stabilization, local; any locality may by ordinance adopt provisions.</p>	<p>(H) Committee on Counties, Cities and Towns</p>	<p>On February 15, 2022 in the House: Left in General Laws</p>	<p>2/15/22</p>
<p>notes: Provides that any locality may by ordinance adopt rent stabilization provisions. This would allow the City to limit the amount of rent increases for residents renewing leases. City Staff supports this bill.</p>			
<p>HB 802 - Price - Virginia Residential Landlord and Tenant Act; enforcement by localities.</p>	<p>Passed House 59-41 on February 14, 2022</p>	<p>Reported from General Laws and Technology (14Y, 0N, 1A) on February 23 in the Senate</p>	<p>2/23/22</p>
<p>notes: This bill will allow localities to initiate action in court against landlords not in compliance with the Virginia Residential Tenant Act. Currently only the tenant or the landlord can file actions in court. This would allow the City to impose civil penalties similar to what Code Administration does when landlords violate the property maintenance code. City staff strongly supports this bill, but there is significant opposition from apartment owners.</p>			

HB 803 - Price - Virginia Residential Landlord & Tenant Act; landlord remedies, noncompliance with rental agreement.	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	2/15/22
<p>notes: Extends the expiration of the requirement for a 14-day notice to pay which was increased from a five-day notice due to COVID. Staff and our eviction prevention partners support this bill.</p>			
HB 804 - Price - Virginia Residential Landlord and Tenant Act; nonrefundable application fee, limitations.	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	02/15/22
<p>notes: Places limitations on when a landlord may charge a nonrefundable application fee in addition to a refundable application deposit. Limits non-refundable fees and also requires landlord to accept 3rd party rental history and credit assessments performed by certified third parties. Staff supports this bill.</p>			
HB 824 - Torian - Low-income housing; tax credit for specialty populations, expands availability.	(H) Committee on Finance	Left in Finance (February 15, 2022 in the House)	2/15/22
<p>notes: Expands availability beginning in taxable year 2022 of the nonrefundable Virginia Housing Opportunity Tax Credit, which is equal to the amount of the federal low-income housing tax credit allocated or allowed by the Virginia Housing Development Authority, to qualified specialty population projects, defined in the bill as low-income buildings that are eligible for the federal credit that creates housing for individuals who (i) have been issued an intellectual disability or developmental disability waiver, (ii) require behavioral health treatment or services, or (iii) require treatment or services for substance use and abuse recovery. City staff supports this bill.</p>			
HB 840 - Lopez - Virginia Residential Landlord and Tenant Act; retaliatory conduct, rebuttable presumption.	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	2/15/22
<p>notes: Establishes a rebuttable presumption of retaliatory conduct pursuant to the provisions of the Virginia Residential Landlord and Tenant Act if a landlord increases rent beyond that which is charged for similar market rentals, decreases services, brings or threatens to bring an action for possession, or terminates the rental agreement within six months of having knowledge of certain actions made by a tenant. City staff supports this bill.</p>			
HB 868 - Lopez - Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement.	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	2/15/22
<p>notes: Requirements for notice of rent increase. Staff supports.</p>			
HB 882 - Lopez - Virginia Residential Landlord and Tenant Act; tenant's	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	2/15/22

assertion, condemnation of dwelling unit.			
<p><u>notes</u>: Provides a rebuttable presumption of a landlord's material noncompliance with the rental agreement if the leased premises was condemned by an appropriate state or local agency due to the landlord's or his agent's refusal or failure to remedy a condition for which he was served a condemnation notice. If established the bill requires a court to award the tenant three month's rent, any prepaid rent, and the tenant's security deposit. Staff supports this bill.</p>			
HB 885 - Lopez - Uniform Statewide Building Code; livability standards.	(H) Committee on General Laws	Stricken from docket by General Laws (22-Y 0-N) (February 8, 2022 in the House)	2/8/22
<p><u>notes</u>: Expands the list of provisions in the Uniform Statewide Building Code related to recognized standards of health and safety required to be present in buildings and structures to include standards related to (i) the accumulation and growth of mold, (ii) plumbing leaks or issues, (iii) air conditioning and heating equipment and running hot water, and (iv) the removal of lead paint and paint that is flaking. Housing took no position on the bill. It is opposed by Code Administration because mold is addressed through Virginia Health Department and not the building code. Plumbing leaks, and maintaining AC/ Heating equipment are already addressed in the Virginia Maintenance Code. Lead paint is already addressed in the Virginia Maintenance Code (310.1) and addressed via Federal Law.</p>			
HB 893 - Maldonado - Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement.	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	02/15/22
<p><u>notes</u>: This is a good bill that clarifies that on automatic lease renewals notice of a rent increase must be provided 30 days prior to the effective date. However, notice of rent increases is already required by another section of the VRLTA. Staff supports the bill</p>			
HB 909 - Lopez - Virginia Residential Landlord and Tenant Act; prohibited discrimination, national origin.	(H) Committee on General Laws	Left in General Laws (February 15, 2022 in the House)	01/21/22
<p><u>notes</u>: Adds non-discrimination based on national origin to the Virginia Residential Landlord Tenant Act. Human Rights and Housing staff did not take a position on this bill because national origin is already prohibited by federal, state and City fair housing laws.</p>			
HB 1063 - Shin - Public accommodations, employment, and housing; prohibited discrimination on the basis of religion.	Passed House February 15,2022	Reported from General Laws and technology (14Y 0N) February 23, 2022 in the Senate.	2/23/22
<p><u>notes</u>: Adds outward religion expression of faith to the definition of religion. Human Rights and Housing staff did not take positions on the bill. Religion is already a protected class.</p>			

SB 24 - Locke - Eviction Diversion Pilot Program; extends sunset date, report.	Passed Senate February 14, 2022	Referred to Committee on General Laws February 22, 2022 in the House	2/22/21
notes: The eviction diversion pilot applies to Danville, Hampton, Petersburg and Richmond.			
SB 43 - Favola - Virginia Residential Landlord and Tenant Act; county and city enforcement.	(S) Committee on General Laws and Technology	Stricken at request of Patron in General Laws and Technology (15-Y 0-N) (February 2, 2022 in the Senate)	2/2/22
notes: Housing strongly supported this bill which would allow localities to file lawsuits against landlords not in compliance with the Virginia Residential landlord Tenant Act.			
SB 47 - Locke - Income tax, state; increases the aggregate annual limit on housing opportunity tax credits.	Passed Senate February 14, 2022	Referred to Committee on Appropriations February 23, 2022 in the House	2/23/21
notes: Staff did not take a position on this bill.			
SB 69 - Favola - Virginia Residential Landlord and Tenant Act; prohibited provisions in rental agreements.	Passed Senate on February 8, 2022	Referred to Committee on General Laws February 22, 2022 in the House.	2/8/22
notes: This bill would prohibit landlords from including daycare among prohibited business activities in rental properties. Staff supports this bill.			
SB 410 Morrissey – USBC; lead safe rental housing	(S) Committee on General Laws and Technology	Continued to 2023 in General Laws and Technology (12-Y 0-N) (February 9, 2022 in the Senate)	2/9/22
notes: This bill would allow localities to adopt a local ordinance requiring inspection and certification of rental units built prior to 1986. Code Administration opposed this bill stating that changes to the Virginia Maintenance Code need to go through the established code change process. Code said that there could be potential liability to the jurisdiction. City Attorney’s Office Supported the bill because it would give localities authority. Housing took no position on the bill.			
SB 284 - Ebbin - Virginia Residential Landlord and Tenant Act; landlord's noncompliance as defense to action.	(S) Committee on General Laws and Technology	Continued to 2023 in General Laws and Technology (12-Y 2-N) (February 9, 2022 in the Senate)	2/9/22
notes: Removes the requirement that tenants pay an appeal bond if there are conditions in the unit that constitutes a serious threat to health and safety. Staff supports this bill.			