

# Virginia Landlord/Tenant Law

---

## A Brief Overview



### **WHAT IS LANDLORD/TENANT LAW?**

---

Landlord Tenant Law consists of varying levels of statutory and regulatory requirements. These two different sources establish standards by which Judges make decisions when landlord/tenant related cases are brought before General District Courts throughout the Commonwealth. Today, we will be discussing two common statutory based standards in Virginia and regulatory standards set by Federal Agencies.

## VIRGINIA RESIDENTIAL LANDLORD TENANT ACT (VRLTA)

---

The Virginia Residential Landlord Tenant Act or VRLTA for short consists of language relating to the relationship between a landlord and tenant. The VRLTA can be found in the *Virginia Code* under Title 55.1 in Chapter 12 consisting of 7 articles that contain Sections 1200-1262.

The VRLTA's purpose is to establish a set of laws that all landlords and tenants must follow, as well as other specifications for dealing with issues related to tenancy that may end up in a courtroom. The VRLTA also establishes how a Landlord can begin the eviction process, what rules they must follow to be successful in their seeking an unlawful detainer, and what remedies a tenant may have to prevent an eviction from their housing occurring through court action.

### Key Terms to Consider

- **Petitioner:** This defines the person bringing about the suit in a civil action in General District Court, another word commonly used is Plaintiff.
- **Respondent:** This defines the person who a suit has been brought against in a civil action in General District Court, another commonly used word is Defendant.
- **Unlawful Detainer:** This is the legal name for a civil action that begins the eviction process in General District Court.
  - **EX:** The petitioner (Big Apartments LLC), is alleging that the respondents (Mr. and Mrs. Smith) have unlawfully detained the apartment located at 111 Main St. Apt 123 Anytown, VA 24015.

## MANUFACTURED HOME LOT RENTAL ACT

---

The Manufactured Home Lot Rental Act consists of language relating to the rental of a lot from a mobile home park where the manufactured home is owned by the person who lives in the manufactured home. The Manufactured Home Lot Rental Act can be found in *Virginia Code* Title 55.1 in Chapter 13 containing Sections 1300-1319.

The Manufactured Home Lot Rental Act establishes rules and regulations that apply only to those people who own their manufactured home and rent a lot within a mobile home park. Portions of the VRLTA are incorporated by reference in the Manufactured Home Lot Rental Act, but much of the Act is focused on the relationship between the owner of the manufactured home and the lot that they rent from a mobile home park.

### **Key Terms to Consider**

- **Manufactured Home:** (From 55.1-1300) Means a structure, transportable in one or more sections, that in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected is 320 or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.
  - Examples: Single Wide and Double Wide
- **Manufactured Home Lot:** (From 55.1-1300) Means a parcel of land within the boundaries of a manufactured home park provided for the placement of a single manufactured home and the exclusive use of its occupants.

## FEDERAL AND STATE REGULATIONS

---

- **Federal Regulations:** Federal agencies such as Housing and Urban Development (HUD) and the Internal Revenue Service (IRS) oversee rental subsidy programs throughout the United States. Each agency has different regulations that are put in place by those agencies stating what landlords and tenants receiving funds from their respective programs must follow in order to continue to receive federal funds. These regulations can also include additional steps, extended notice requirements, and good cause requirements to evict a tenant throughout the United States.
  - **Ex:** Section 8 housing and Housing Voucher programs
- **State Regulations:** Virginia does not have many regulations related to the landlord/tenant relationship. However, Federal programs such as the low income housing tax credit (LIHTC) administered by the IRS rely on state Departments of Taxation and statutory landlord/tenant law. Additionally, housing programs such as LIHTC have regulations that state departments of taxation must oversee in their administration of these types of programs.

**DISCLAIMER:** We are unable to provide any legal advice to you based on specific facts or circumstances related to you or someone you know. We can only provide general legal knowledge. Should you or someone you know need Legal Aid Services they can call 1-866-LEGLAID for statewide help in finding the Legal Aid nearest you.

