



VPLC

Virginia Poverty
Law Center

SUPPORT HB2007 (Aird)/SB1448 (Locke)

HELP RENTERS OBTAIN AND MAINTAIN SAFE, AFFORDABLE HOUSING

The Problems:

- **12 month eviction orders:** Orders of possession, which give landlords legal authority to evict renters, remain good for one full year from the day they're entered. So, even when landlords and renters enter into payment plans allowing renters to remain in their homes as long as payments are made, renters may fear sudden eviction based on the 12 month order, especially if they assert their right to ask the landlord to make repairs.
- **Records of eviction writs never used:** After a landlord gets the 12 month order of possession, he gets a writ of possession. The writ of possession gives the sheriff the authority to conduct the actual eviction, and this writ is good for 30 days. Even when the renter pays and the eviction is cancelled, the record of the writ of possession remains. Many reputable landlords won't rent to people with a writ of possession on their record, assuming these people didn't pay rent and were evicted by the sheriff.

How HB2007 Fixes These Problems:

- **HB2007 shortens the time an order of possession can be used to evict a tenant from twelve to six months.** This shorter period gives renters security about their housing situation sooner while still providing ample time for landlords to try to work with tenants before having to go to the sheriff for a writ of possession (which HB2007 renames a "writ of eviction" for clarification.)
- **Under HB2007, writs of eviction are vacated as a matter of law, with no further action from the judge or clerk, if they aren't executed within 30 days of issuance.** A record showing that a writ of eviction has been VACATED tells potential future landlords that the renter resolved his or her dispute with the landlord and did not get evicted.
- **By tracking how many writs of eviction are vacated, HB2007 will help Virginia gather accurate data.** Since the best policies and programs to prevent evictions are data driven, data telling us more about how many people are evicted by sheriff's offices will help evaluate the need for additional programs and policy reforms.

The Virginia Housing Commission recommended HB2007 and SB1448.

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