

## HELP TENANTS ENFORCE THEIR RIGHT TO SAFE AND HEALTHY HOUSING SUPPORT SB707 (MCCLELLAN )

**The Problem:** Under Virginia law, residential landlords must keep their rental units safe and healthy, but few residential tenants know what to do if their landlord fails to comply with this requirement. Even if tenants do successfully navigate some of the hurdles to enforcing their right to safe and healthy housing, they are barred from taking legal action if they have fallen behind in rent.

**The Solution:** SB707 requires all residential landlords to provide their tenants with an explanation of their right to request repairs and how they can enforce this right by filing an assertion in court if the landlord does not make the repairs promptly. The bill also removes the current prohibition on filing an assertion if rent is not up to date, allowing all tenants to access this remedy.

### **Additional Benefits:**

- Because SB707 requires landlords to inform tenants of their rights and responsibilities regarding repairs at the beginning of the lease, it will help ensure tenants report the need for repairs more promptly and, in turn, give landlords opportunities to make timely repairs before problems get worse.
- SB707 can help prevent dwelling units from becoming uninhabitable by allowing **all** tenants to seek court orders requiring repairs, not just those who are current on rent.
- SB707 helps create a more fair and equitable justice system. Current law allows landlords to file cases against tenants who have not paid rent even when those landlords are not providing safe and healthy housing. With the passage of SB (.), the law will similarly allow tenants who are behind on rent to file cases against landlords who don't make repairs.

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