

Give Families Time to Pay Rent and Stay Housed

Support HB1889 (Delegate Price)

The Problem:

All too often, families are evicted for relatively small amounts of unpaid rent that grow into large sums because of court costs and attorney's fees. These evictions serve neither tenant nor landlord, as landlords incur extra expenses and work to first pursue an eviction in court and then bring in a new tenant, and evicted families are forced to double up with loved ones or worse.

HB1889's Solution:

HB1889 makes permanent the policy passed during the 2020 special session that landlords must give tenants a 14-day notice before filing an eviction and larger landlords must offer tenants a payment plan.

By removing the sunset clause from 2020 special session legislation, HB1889 helps families catch up on late rent payments by requiring that landlords take certain steps before initiating an eviction lawsuit for nonpayment of rent, including:

- Providing tenants with a written notice of the past amount due and allowing the tenant 14 days to pay the past due rent and late fees before the landlord can file an eviction lawsuit. By extending the amount of time for tenants to pay from the five days previously required under Virginia law to 14 days, tenants are more likely to receive a paycheck or government assistance and be able to catch up on rent and avoid a costly eviction.
- Larger landlords must also offer tenants a payment plan to catch up on back rent before they pursue eviction.* Too many tenants live paycheck to paycheck and are one unexpected necessary expense, such as a car repair or medical bill, away from eviction, even in good times. Requiring landlords to give these tenants six months or until the end of their lease to pay off the single missed payment will help hard working Virginia families avoid eviction and its inescapable, long-term consequences.

Additional Benefits:

By preventing evictions, HB1889 will save landlords work and money.

- Landlords will receive the full amount of rent they are owed instead of spending additional money on court fees to get a judgment they may not be able to collect.
- Landlords will not lose additional rent money while the unit sits empty after eviction.

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* "Larger landlords" are those who own more than a 10% interest in five or more dwelling units. A recent study from RVA Eviction Lab at Virginia Commonwealth University found that the majority of residential evictions are pursued by landlords who own more than 25 rental units. See <https://rampages.us/rvaevictionlab/2020/12/03/new-paper-eviction-and-segmented-housing-markets-in-richmond-virginia/>.