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HOUSE BILL NO. 803

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to amend the Code of Virginia by adding a section numbered 55.1-304.1, relating to repairs or maintenance of property; entering adjoining property; petition for entry.

Patron—Carr

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 55.1-304.1 as follows:

§ 55.1-304.1. Repairs or maintenance of property; entering adjoining property; petition for entry.

When an owner of real property seeks to repair or maintain the exterior of his property and the property is so situated that it is impossible to perform the repairs or maintenance without entering adjoining property and permission to enter the adjoining property has been denied, or unreasonable conditions have been placed upon the entry, the owner seeking to make the repairs or maintenance may petition the circuit court for a right of entry to the adjoining property for the purpose of performing the repairs or maintenance. The petition and affidavits, if any, shall state the facts making such entry necessary, the date on which entry is sought, and who or what service provider will be accessing the adjoining property to perform such repairs or maintenance. Any such service provider shall be properly licensed and insured. Upon a finding that an owner has made a good faith effort to obtain permission to enter the adjoining property, such right of entry may be granted by the court in an appropriate case upon such terms as justice requires, including a requirement that the owner file a bond. No such entry shall be deemed a trespass. The petitioner shall be required to return the adjoining property to its previous condition and shall be liable to the adjoining owner or his lessee for actual damages occurring as a result of the entry.