

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB1078

Patron: Hernandez

Bill Title: Virginia Residential Landlord and Tenant Act; adverse action by landlord; tenant remedies.

Bill Summary: Prohibits a residential landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth from taking adverse action against a prospective tenant due to the prospective tenant's history of a dismissed or nonsuited unlawful detainer case or an unlawful detainer case that is eligible for expungement. The bill allows a prospective tenant to recover, as a result of any such adverse action, (i) actual damages, (ii) statutory damages of \$1,000, and (iii) reasonable attorney fees.

Budget Amendment Necessary: No.

Items Impacted: N/A

Explanation: This bill involves the Department of Housing and Community Development (DHCD) and the Courts; however, no budget action is required. See Fiscal Analysis section, below.

Fiscal Summary: It is anticipated that any state fiscal impact that may result from this bill to DHCD can be absorbed within existing resources. Any fiscal impact that may result from this bill to the Courts is indeterminate.

Fiscal Analysis: DHCD has no oversight or administrative obligations regarding the Virginia Residential Landlord and Tenant Act. The department does update and publish on its website the Landlord Tenant Handbook. Any legislative changes made to the Act will be updated, but the department can do so using current resources.

Any impact to the Courts as a result of this bill is indeterminate, as it depends on the number of parties that pursue damages. Cumulatively, this bill and similar proposed legislation may result in a nonabsorbable impact to the Courts.

Other: None.