

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

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**ORIGINAL**

**Bill Number:** HB79

**Patron:** Price

**Bill Title:** Virginia Residential Landlord and Tenant Act; duties of landlord; mold remediation; civil penalty.

**Bill Summary:** Provides that a tenant, authorized occupant, or guest or invitee of a tenant or authorized occupant may bring a personal injury or wrongful death action for exposure to mold arising from the condition within the interior of a dwelling unit or for any property damage claims arising out of the landlord-tenant relationship to recover (i) compensatory damages, including medical bills, lost wages, and injury to personal property; (ii) punitive damages; and (iii) reasonable attorney fees and costs, if the mold is caused solely by the gross negligence or willful misconduct of the landlord or managing agent. The bill also mandates a landlord to require a tenant to temporarily vacate the dwelling unit in order for the landlord to perform mold remediation in accordance with professional standards if it has been determined by a physician or other qualified medical professional and certified by a written medical statement that the mold condition in the dwelling unit materially affects the health or safety of the tenant or any authorized occupant.

**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:** The section heading refers to a “civil penalty”; however, the bill establishes private civil liability only, allowing courts to award compensatory damages, punitive damages, and attorney fees to private plaintiffs rather than imposing a penalty payable to the Commonwealth.